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THE

REPORTS OF COMMITTEES

OF THE

HOUSE OF REPRESENTATIVES

FOR THE

FIRST SESSION OF THE FIFTY-SECOND CONGRESS.

1891-'92.

IN TWELVE VOLUMES.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1892.

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Allen, Jane	101	1
Allen, Katie	1565	5
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Arnold, Mrs. M. E	1472	5
Atherton, Amanda	858	3
Avery, Frank L	1917	7
Badger, Louis	1616	5
Banister, Elizabeth M	1299	4
Barber, Alonzo D	860	3
Barnett, Druke Nettie	1240	4
Barrett, Walter	1622	5
Beerbower, Martha A	774	3
Bell, Moses	988	4
Bentley, Watson S	2061	10
Bodley, Julia	639	2
Bollman, Lydia	1874	7
Boodger, Adda L	460	2
Boone, Esther J	1239	4
Bowden, Elizabeth	768	3
Boyd, George W	1302	4
Brackett, Margaret	1735	7
Bradford, Delzell R	1872	7
Brainerd, Martha Noble	1236	4
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Chamberlain, John	1517	5
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Chapman, Samuel H	2006	10
Cheney, Wells	87	1
Christien, Margaret	301	1
Christopher, Mary B	1913	7
Clark, Charity W	638	2
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Cooper, Thomas	956	4
Corcoran, Mary J	1590	5
Corser, David S	1243	4
Cota, Harriet	1815	7
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Criner, Eliza A	1808	7
Cullen, James	1914	7
Danahay, Mary	1563	5
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Day, Ellen	1390	5
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Ferris, Adelia S	98	1
Finney, Abigail L	1349	5
Fleenor, John T	1909	7
Flynn, Margaret A	2081	10
Ford, John C	637	2
Fortier, Joseph	1806	7
Fritcher, Elizabeth L	1620	5
Frymire, George L	2064	10
Geer, Martha A	1737	7
Gibson, Guy W	2065	10
Goff, Ellen	529	2
Gray, Jennie	2067	10
Green, Ann M	1915	7
Greene, Annie M	2082	10
Griffith, Martha J	1238	4
Hagan, Sarah A	958	4
Hahn, Lydia E	861	3
Hall, John S	2103	10
Hall, Minnie	531	2
Hamilton, Mrs. C. R. ("Sister Angela")	1391	5
Hamilton, Sophia J	1154	4
Hammond, Robert	1389	5
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Hatch, Ellen De Witt	2009	10

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Heninger, Louis	1446	5
Hewett, Ellen	939	3
Hineline, Sophia Bruner	536	2
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La Tourrette, Henry S	1029	4
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McChesney, Mary D	2071	10
McDermott, Martin	1561	5
McGeorge, Betsey	2063	10
McNeil, Jane	1740	7
Maguire, Ellen	63	1
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Maloy, Bridget	66	1
Martin, Mary	2058	10
Matlock, Thomas J	2056	10
Melvin, Fordyce R	2104	10
Millard, Mary	1162	4
Miller, Martha E	2062	10
Mitchell, Kate P	64	1
Mohan, Elizabeth	641	2
Monroe, Andrew J	2080	10
Moorehead, Mary A	1306	5
Morris, Jennie B	459	2
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Nason, Ralph Waldo	1534	5
Neal, William M	2115	10
New, Adelia	1445	5
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Niles, Harriet E	2005	10
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Reik, Abasha	1887	7
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Root, Leroy	2100	10
Ross, Mary Ann	938	3
Russell, Sarah A	2105	10
Salisbury, Susan T	1155	4
Scott, John	859	3
Seaver, Nettie N	2057	10
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Shaw, Clara V	1388	5
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	2069	10
Sheldon, Thomas F	2003	10
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Smith, Caroline	1032	4
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Thompson, Thomas	840	3
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Venard, Mary	1305	5
Vosburg, Harriet T	2059	10
Voss, Elizabeth	1160	4
Wade, Jennie Y	448	2
Walters, Joel A	1908	7
Ward, Jane A	298	1
Webster, Amelia R	1533	5
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White, Cecelia	530	2
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Willson, Elizabeth R	528	2
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Athens, Ala., Cumberland Presbyterian Church of	310	1
	1180	4
Atkinson, Mary Ellen, administratrix of Richard	285	1
Atlanta, Ga., St. Philip's Church	660	2
Atlantic Works	1965	10
Austin, Sterling T., heirs of	125	1
Avery, John, estate of	1724	7
Ayers, Asa B	1270	4
Baleaux, Ulger V	1373	5
Baker, Sarah K. T	132	1
Balzer, Gustavus A	1787	7
Bank of Louisiana, creditors of	403	2
Banks, Charles	1046	4
Barnes, Benjamin S	1523	5
Barron, Mary	1017	4
Bass, Giles W	650	2
Bates, John A	972	4
Battelle & Evans	290	1
Baudry, Omer	1428	5
Baugh, William	1271	4
Baynard, Joseph S., and others	1692	7
Bazell, James B	312	1
Beard, I. B	327	2
Beckham, William R	1271	4
Bell, Josiah L	1431	5
Bell, Mary A	660	2
Berks County, Pennsylvania Agricultural Society	698	3
Bethel Springs, Tenn., trustees of Presbyterian Church of	311	1
Beuter, Francis A	1984	10
Bigler, James	1539	5
Bigley, Nicholas J	343	2
Billingslea, Walter R	649	2
Birchett, William G., estate of	1724	7
Bishop, Clarissa	1373	5
Bishop, James	136	1
Black, Joseph	832	3
Black, L. E	1280	4
Blackistone, Richard P	1362	5
Bliss, Francis A	239	1
Blinn, Laura	1481	5
Bloom, Henrietta Y	832	3
Blosser, Joseph	784	3
Blue, Solomon, estate of	305	1
Boardman, William, legal administrators of	798	3
Bolivar (Tenn.) Lodge	598	2
Booth, M. A	659	2
Booth, Martha A	659	2
Boston, Massachusetts Atlantic Works	711	2
	1965	10
Botts, Luigi	1888	7
Bounty and arrears of pay, settlement of claims for	484	2
Boutwell, D. W	433	2

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Bowling, John, heirs of	1545	5
Boyd, L. H	1336	5
Bradford, James M	936	3
Bradley, Horace L	320	1
Branch, Jesse L	1281	4
Brandt, Jesse L	1272	4
Brantly, W. S., executor of J. H.	390	2
Breaux, Pierre	831	3
Brewer, Elvy	657	2
Briant, Mrs. E. H	831	3
Bridger, James	1576	5
Bridges, Sarah E	661	2
Bridgewater, P. H	1408	5
Briscoe, Jackson	670	2
Bristol, Louis H	1374	5
Broadwell, Marcus L	153	1
Brooks, John G. W	32	1
Brooks, William H. H	1488	5
Brott, George F	124	1
Brown, A. M	1281	4
Brown, Florence A	1010	4
Brown, John T	971	4
Brown, M. G	1336	5
Brown, Thomas	650	2
Brown, Thomas J	1042	4
Bruen, John T	535	2
Buckey, Mary E	781	3
Buckholder, Martin, administrator Abraham	784	3
Buckmaster, William P., heirs of	1489	5
Buder, Edward A	607	2
Bugg, J. H., and others	427	1
Burditt, Augustus P	342	2
Burke, Edward, administrator	334	2
Burke, Hannah	1724	7
Burton, Henry H	1429	5
Burton, William	1045	4
Bushby, William	67	1
Butler, Phillip T., and others	785	3
Butt, William	936	3
Cahalan, Edward	576	2
Caine, Catherine	276	1
Caldwell, C. C	1467	5
Caldwell, John R	650	2
California war claims	254	1
Cameron, Emma S	550	2
Cameron, James and Emma S	888	3
Camp Tyler, Ill., owners and occupants of	1637	5
Campbell, George J	1072	4
Campbell, J. M., estate of	1272	4
Candy, Charles	1273	4
Capers, Francis F	1692	7
Caperton, George	650	2
Carl, David and Barbette	1428	5
Carmack, Joseph W	228	1
Carpenter, George	650	2
Carr, Rogers & Co	814	3
Carson, Henry Polite	611	2
Carter, Alfred B	328	2
Cartersville, Ga., First Baptist Church of	292	1
Cazes, Bertrand and Gaudin	47	1
Chapin, Gurden	1188	4

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Chapman, Henley W	1401	5
Cheek, Mrs. Nelson	785	3
Cheek, R. T	648	2
Chester, Lester P., and others	1288	4
Chouteau, Charles P	50	1
Cristy, John, & Co	350	2
Chum, A. B	651	2
Church and school building, claims for	11	1
Citizens' Bank, Louisiana	340	2
Citizens of Kansas, claims of	602	2
Claims for certain stores and supplies	1552	5
Clapp, George M	268	1
Clapp, Sarah A	274	1
Clara Bell, steamer	1219	4
Clark, James S., estate of	377	3
Clark, Stephen D	241	1
Cleveland, Elizabeth J	1281	4
Clift, William	723	3
Cobb, Blasddell & Co	350	2
Cobb, J. & O. P., & Co	350	2
Cobb, J. & O. P., & Co., surviving partners of	350	2
Cobb, Oliver P	350	2
Cobb, O. P., and others	351	2
Cole, Mrs. S. M	783	3
Coleman, Sarah and Florence	1282	4
Collards, W. H., and others	1330	5
Collins, Joseph	832	3
Columbia bridge, owners of	777	3
Connell, Michael	785	3
Cook, James A	1638	5
Cook, Jared R	649	2
Cook, Matilda	138	1
Cooner, Mary A	936	3
Cooper, Hudson, legal representatives of	776	3
Cordill, Joseph	829	3
Core, A. S	551	2
Cothes, H., heirs of	26	1
Cousens, George Lewis	216	1
Cowper, Leopold C. P	721	3
Crabill, Joseph D., estate of	784	3
Craig, William	1365	5
Cranston, Sarah M	1328	5
Crenshaw, A. L. H	112	1
Crews, Hamilton	345	2
Crider, R. H	37	1
Crider, S. F	131	1
Crompton, Richard	936	3
Cronk, Charles W	1568	5
Crosby, William	783	3
Cross, Joel	660	2
Crow, William	658	2
Crum, Elizabeth and B. L	597	2
Cunningham, Calvin B	391	2
Cunningham, Rachel	936	3
Cummings, Doyle & Co	39	1
Cummings, Phœbe	649	2
Cynthiana, Ky., destruction of property at	413	2
Dalton, Ga., trustees of the Catholic church at	291	1
Danolds, Charles A	655	2
Darly, F. O., estate of	831	3
Davis, A. W	598	2
Davis, Enoch	278	1

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Davis, Mark, heirs of	33	1
Davis, Marshall	648	2
Davis, Mark, legatees of	1636	5
Davis, Mrs. M. M	649	2
De Bevoise, S. H., estate of	1270	4
Debnam, Thomas R	661	2
Decatte, Owden	832	3
Deems, Lewis	1008	4
Deford, James, heirs of	1651	7
Deitrich, Emily	1279	4
Delahoussage, Sidonie	1370	5
Delille, Jean	1279	4
De Loach, Claiborne, heirs of	1270	4
	1272	4
Dennis, Mary A	832	3
Denny, George, sr	522	2
Dent, Warren R	332	2
Deslonds, Mrs. Frank	1370	5
Desmarc, Alphonse	1373	5
Deucatte, Odon	83	1
Dickson, Davidson, and others	392	2
	935	3
Dieters, John	1924	7
Dittlinger, Michael	429	2
Doherty, M. A	649	2
Dolman, Jacob	784	3
Donato, Auguste, heirs of	329	2
Donato, Belote A	832	3
Donnell, George O	115	1
Dorr, John H	137	1
Dougherty, Mary A	648	2
Douglas, W. W., administrator	832	3
Downey, Amelia	784	3
Downing, A. B., estate	649	2
Downs, Francis	1365	5
Doyle & Co	39	1
Doyle, Johanna	785	3
Doyle, William	776	3
Driscoll, John J	1184	4
Duffy, Eugenia and W. B	829	3
Dulin, A. F., estate of	1724	7
Duncan, Andrew J., deceased	16	1
Dunklee, William M., administrator	1251	4
Duvall, Tandy	784	3
Dyer, Rachel	262	1
Easterly, Isaac	1281	4
Edwards, Emily	1375	5
Edwards, Sarah Upton	1071	4
Edwards, W. W	1373	5
Eldridge, Hallam	1691	7
Ellen, Abby (brig), owners of	70	1
Elliott, John R	1428	5
Elsaser, John A	1336	5
Elzey, John	829	3
Engelhardt, Margaretha	1935	7
Engs, Samuel F	596	2
Ennis, William B	129	1
Eppes, John W	564	2
Evans, Samuel	1411	5
Fagot, Emile, heirs of	832	3
Falls, Jane	1985	10
Farnighy, Louis O	1499	5
Farley, John A	1280	4

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Farnsworth, D. D. T	1670	
Fels, Samuel	134	
Fergusson, George B	69	
Field, John A	654	
Fike, Martha A	936	
Filhiol, Hypolite, and others	45	
Fitzgerald, Michael G	1126	
Flesschert, Martha E	1497	
Fletcher, Nathan, heirs of	600 1179	
Flick, Catharine	784	
Florence Masonic Lodge, Florence, Ala	601	
Flowers, Elizabeth	661	
Forgey, James	1386	
Fourth of July claims	38 1248	
Fraliex, Martin, estate of	660	
Franklin, William A., executor of J. B	1272	
Frasuer, Eli	660	
Frederick, Md., refund of money to	520	
French, Henry S	82	
Frizell, James S	1o5	
Frobel, Elizabeth D. and Anna S	140	
Fuller, J. B	648	
Fuller, Robert W	1025	
Fusilier, Corinne Perret	831	
Gallagher, Charles	712 713	
Galland, Washington	116	
Gallott, Julia	832	
Gardner, Fannie E	1585	
Garrett. W. F	1231	
Garrison, Nemiah	111	
Garrison, Silas M	936	
Garrot, Pierre	1428	
Gibson, William F	238	
Giddings, Napoleon B	227	
Gilbreath, Simeon	1283	
Gilfoil, Patrick	829	
Gillett, Theodore J	1386	
Gittings, Samuel E	1423	
Glassie, D. W. and Minna H	85	
Gomez, Edwin	398	
Goodloe, Mariam, and others	1481	
Goodrich, A. E. and M. E	832	
Govan, J. J	658	
Graves, Mrs. C. H	78	
Green, Edman	1538	
Greenhill, Thomas C	650	
Gregory, James A	156	
Grimmett, Matthew H	1271	
Grisson, Sarah	653	
Grivot, Maurice, heirs of	376 1427	
Groom, William G	139	
Groves, John H	1165	
Guidry, Lesant, heirs of	831	
Gullory, Martin	832	
Gummo, John W	1813	
Hackney, B. R	321	
Hagerstown, Md	746	
Haigh, A. V	1042	

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Hall, Goff A	52	1
Hall, Warren	53	1
	1361	5
Haller, Jonathan	784	3
Hamilton, G. Dwight	375	2
Hamm, John M	1277	4
Hammon, Jacob	784	3
Hancock, William	1364	5
Handlin, William W	431	2
Harding, Francis E., estate of	1370	5
Harkins, Charles	1383	5
Harris, Thomas D., heirs of	103	1
Harter, Thomas O	849	3
Hartman, Jesse P	315	1
Harvill, Mrs. L. J	651	2
Hathaway, John R	721	3
Havens, Ezra S	114	1
Hayes, Samuel, deceased	1272	4
Hayford, Axel	69	1
Haywood, Mrs. W. Dallas	661	2
Hazen, G. M., and others	934	3
Heard, James A	650	2
Heberer, John	608	2
Heberlein, August, estate of	1270	4
Hebert, Eliza E	54	1
Hebron, Adeline L., estate of	649	2
Heiskell, Ann E	143	1
Henderson, Robert	1183	4
Henkel, Philip	1199	4
Henry, William M	319	1
Henson, Hugh M	42	1
Hernandez, Vidal	745	3
Herr, A. H., estate of	463	2
Hickman, M. T	1279	4
Higgins, John M	605	1
Higgins, Richard, estate of	658	2
Higgins, Thomas L	275	1
Hildreth, William W., deceased	36	1
Hill, Alexander, estate of	832	3
Hill, Joseph A	659	2
Hobbs; Thomas M	1724	7
Hoffman, R. H	322	1
Holbrook, Julia	659	2
Holland, James L., estate of	1271	4
Holmes, Martha W	1412	5
Holsten Female College	1272	4
Holt, C. G., administrator of Wiley	661	2
Holt, John M	1281	4
Honeycutt, Stephen M	850	3
Hoover, Benjamin, estate of	784	3
Hoover, James C	1281	4
Hopper, W. A., administrator of David	649	2
Hopper, William, deceased	17	1
Hough, Fannie	1481	5
Howard, Samuel	13	5
Howland, Juanita	1367	4
Hubbard, Mary Jane	1272	1
Hughes, William	48	1
Hughes, William C	1200	4
Hughes, William H., administrator	43	1
Humboldt Female College	1281	4
Hume, Isaac, estate of	784	3

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Humphries, Julia A	149	1
Hundley, William T	782	3
Huntsville, Ala., Methodist Episcopal Church of	264	1
Hurdle, Eunice	597	2
Hurley, R. A	2088	10
Huson, W. H	401	2
Interest on money expended in raising troops	555	2
Isgrig, Thomas C	412	2
Izard, Florimond	832	3
Jackson, Miss., Roman Catholic Church	903	3
Jackson, Tenn., First Methodist Church of	15	1
Jean, Francis, sr	832	3
Jefferson County, Ky., claims of certain citizens of	374	2
Jocknick, Gustavus F	612	2
Johnnot, William, and others, legal representatives of	1133	4
Johnson, A. S., administrator of Thomas	318	1
Johnson, Hiram, and others	19	1
Johnson, Joseph B	1271	4
Johnson, Peter	1336	5
Johnson, Richard W	1369	5
Johnson, Rinaldo and Ann E	890	3
Joiner, Nathan	1889	7
Jones, Francis S., estate of	651	2
Jones, Isaac and Thomas C., estate of	648	2
Jones, John	1271	4
Jones, John H	597	2
Jones, John H., heirs of	103	1
Jones, John H., legal representatives of	722	3
Jones, Thomas	648	2
Jordan, R. D., guardian	1272	4
Kaylor, Daniel	1281	4
Keating, Martin	879	3
Keegan, Mary E	330	2
Kelly, Peter, estate of	334	2
Kendall, William, legal representatives of	361	2
Kennedy, Leonora J	832	3
Kennedy, Margaret	95	1
	1671	7
Kergon, Thomas	335	2
Kerr, A. C	657	2
Kibler, Josiah and Jeremiah	784	3
Kilbourn, Benjamin J	1954	7
Kimmons, William M	597	2
King, Thomas J	936	3
Kirchner, George K	606	2
Knight, Isabella	936	3
Knight, Joseph	1428	5
Kolbe, Carl F	96	1
Koons, Anthony	34	1
Kouns, John, surviving partner of George L	1386	5
Kulage, Joseph, heirs of	1033	4
Labell, Charles	657	2
La Fayette Female Seminary, Colbert County, Ala	650	2
Lafferty, James	658	2
Lafleur, Ben M	832	3
Lafleur, Jean Pierre	832	3
Lafleur, Marcelin	832	3
La Grange Synodical College	29	1
	650	2
Lake, Daniel, deceased	1047	4
Lam, James, estate of	783	3
Lamar, Robert G	1025	4

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Lanier, N. B	649	2
Large, William	395	2
La Rue, Maria D	783	3
Lastrapres, Victor	832	3
Lauderdale, Elizabeth	936	3
Lavery, William	1471	5
Lawhead, William, administrator of John	327	2
Lawrence, L. J	1280	4
Lazare, Jean Baptiste, estate of	329	2
Leduff, Alexis	832	3
Lee, A. S	281	1
Lee, John	1298	4
Lee, Lucy Ann and Allen G	287	1
Lefoldt, Julius	785	3
Leftwich, Gertrude A	28	1
Legg, A. C., deceased	1274	4
Leiper, John	1281	4
Lemelle, Charles	832	3
Lemelle, E	1279	4
Lemelle, Leon	832	3
Lemelle, Ludger, estate of	832	3
Lemelle, Rigobert, estate of	832	3
Lement, Pierre	832	3
Lewis, Abner D	658	2
Lillard, B., estate of	1278	4
Linn, Jane	152	1
Lipscomb, James C	1268	4
Litten, Julius B	1271	4
Little Rock and Memphis Railroad Company	885	3
Livers, Fanny S	1500	5
Livingston, Anne C	68	1
Logan, Mary T., widow of A. L	651	2
Long, Henry W	657	2
Long, William R	936	3
Loudon County, Va., loyal citizens of	1018	4
Lovelace, Emma C	241	1
Lovell, Louisa Q., and others	12	1
Lovell, Margaret Jane	1366	5
Lowe, William W	1127	4
Luchman, William	785	3
Lusk, Soloman	434	2
Lutz, Andrew	141	1
Lutz, Morris	784	3
Lynch, John A	1577	5
McBrayer, John H	1543	5
McCann, Michael	1191	4
McClintock, Joseph B	148	1
McConnell, C. J	419	2
McCool, Wells C	466	2
McDaniel, John A	657	2
McElhose, James B	1704	7
McGloughlin, Virginia	329	2
McGuffee, G. V., sr	332	2
McLaughlin, Ammon	1386	5
McLaughlin, Nelson	317	1
McLean, Louisa E	1272	4
McLellan, Leander C	1594	5
McLemore, Sarah L., administratrix of John C	333	3
McLeod, Daniel, legal administrators of	797	3
McMinnville, Tenn., Cumberland Female College	18	1
McMurtrey, John	1271	4
McNairy, Hugh	126	1
McNamara, Stephen	1275	4

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McNeill, John C	661	
Macon City, Mo., Catholic Church	1592	
Maddox, Laura E	886	
Maddox, Margaret Virginia	970	
Madison Female Institute	1050	
Magill, Lydia A., administratrix	323	
Mahon, Eliza Jane	652	
Marklein, Charles	470	
Marsh, Samuel	151	
Marshall, Levin R., executors of	260	
Marshall, Mo., The Christian Church	1065	
Martin, Cyrus	554	
Martin, John J., heir of Joseph	1279	
Martinsburg, W. Va., St. Joseph's Catholic Church at	211 467	
German Evangelical Church	212	
Methodist Episcopal Church	213 465	
Mastick, Henry, administrator of	1058	
Mastin, Claude H	150	
Matheny, Thomas M	396	
Matlock, E. S., estate of	597	
Matthews, William D	72	
Meador, Zaddock	661	
Meaher, Timothy, administrator of J. M	651	
Meeha, Catherine Barry	346	
Methodist Episcopal Church South, book agents of	20	
Meuillon, Alphonso	832	
Meuillon, Francis	329	
Meuillon, Lucien	832	
Michigan Cavalry, expenses of First	436	
Middletown, Md	747	
Miles, William T	1053	
Miller, David	1146	
Miller, James	662	
Millet, Francis	359	
Milley, S. B., administrator of Mary E	784	
Minors who were discharged from the Army	896	
Missouri, claims of militia organization of	695	
Mitchell, James A	657	
Mitchell, Sophia G	652	
Mixon, William	1650	
Mobile and Girard Railroad Company	341	
Mobile Marine Dock Company	46	
Moffitt, Alexander	31	
Moiety claims of officers and crews of the Navy	242	
Monahan, Mary E	327	
Moneys collected by the United States, refund of	1363	
Montgomery, Hugh	1279	
Montgomery, Mary Ann	1691	
Montgomery, Olivia F., and others	332	
Montgomery, Pearson C	30 1649	
Montgomery, Robert H	461	
Moody, B. F., & Co	279	
Moonlight, Thomas	828	
Moore, Stativa, and others	330	
Moore, Stephen, administrator	17	
Morehead City, N. C., Methodist church	1430	
Morgan, Jesse B	936	
Morgan, Robert E	77	
Morgan, William S	936	

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Morin, Catherine, heirs of	133	1
Morrow, William B	282	1
Moseley, William, jr	1695	7
Mount Zion Society	439	2
Mower, Joseph A., legal representatives of	1307	5
Mullin, Mary P	1335	5
Mullins, Martin	1189	4
Munday, G. W., administrator	832	3
Murdock, Emily	1371	5
Murphy, Dennis, sureties of	575	2
Murphy, James	649	2
Murphy, James, heirs of	1489	5
Murphy, J. J	330	2
Murray, Francis M	35	1
Musgrave, Emeline E	303	1
Nalley, Samuel M	302	1
Nash, Joseph C	85	1
Navy, moiety claims	242	1
Neal, W. H., estate of	1280	4
Neck, George, sr	832	3
Neet, John S., jr	225	1
Neidlinger, Charles V	1007	4
Nelson, John N	936	3
Nevada, claims of certain persons in	117	1
war claims of	254	1
Newell, Jane, estate of	1281	4
Newell, Jesse C	1333	5
New Haven, Conn., National New Haven Bank	667	2
Newman, James M	524	2
New Orleans, Union National Bank	86	1
Odd Fellows' Hall Association	405	2
New York, duties paid by the State on arms imported in 1863	1034	4
Nichols, Frank H., estate of	243	1
Nixon, Henry C	661	2
Noble, Lester	480	2
Noland, William H	1280	4
Northrup, Charles, estate of	1270	4
Nutt, Julia A	1800	7
Oakley, E. C., administrator	1280	4
O'Brien, William D	314	1
Ockerson, Daniel J	283	1
Odle, H. D	1798	7
Oglesby, I. T	1433	5
Okolona, Miss., Independent Order of Odd Fellows	648	2
Oliver, James M	1406	5
Orbison, Josiah B	1844	7
Oregon, war claims of	254	1
Orr, George A	1222	4
O'Shea, P. T	649	2
Otis, Samuel	69	1
Overton Hotel Company	331	2
Owen, Isham T	1496	5
Paillett, Hilliare, estate of	832	3
Parish, J. W	430	2
Parker, Rebecca V., estate of	832	3
Patterson, David K	648	2
Patton, S. K. H	313	1
Payne, James, & Co	75	1
Payne, William B	259	1
Pedersen, Mathias	1201	4
Peeden, Martha J., administratrix of Haywood	1271	4

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Pelletor, E. W	661	2
Pemberton, Fannie	306	1
Pennsylvania, war claims	166	1
reimbursing State for money expended for militia service	167	1
Perkins, Moses	111	1
Perry, O. H., administrator	1801	7
Peters, John L	613	2
Phillips, James B	1466	5
Phillips, John C	1890	7
Phillips, O. P	388	2
Pierce, Charles H	1297	4
Pitcher, William	69	1
Pitzer, T. T	1409	5
Platte County, Mo	1796	7
Platte City, Mo., Masonic Lodge	1031	4
Presbyterian Church		
Point Pleasant, W. Va., Methodist Church	827	3
Poitevent, William T	1652	7
Poland, Alexander, estate of	394	2
Pollard, A. W	128	1
Ponder, D. K	778	3
Pope, Daniel L., and others	1025	4
Porche, Louis V	1428	5
Poullain, Mildred P	417	2
Powel, Sarah A	327	2
Pratt, Albert J	1385	5
Priddy, John D., heirs of	1958	10
Priest, Matthew S	435	2
Pritchard, Catharine M	399	2
Quarles, W. A	1009	4
Quintard, George W	1049	4
Rabot, Jean Baptiste	832	3
Randolph, J. P	609	2
Randolph, Mary B. T., and others	592	2
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Finn, John	2024	10
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Hammaker, W. S	2026	10
Hunter, Samuel G	1064	4
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Manning, James	2019	10
Nebraska, reimbursement of certain money	1541	5
Ross, Mary L	1063	4
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Speck, David	783	3
Sprinkle, S. D	1351	5
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Storer, Abraham	783	3
Stork, Conrad	785	3
Swartz, David	784	3
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Turley, William H	1486	5
Von Haake, Adolph	1567	5
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Weaver, Tilghman, heirs of	1672	7
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Brott, George F	124	1
Buder, Edward A	607	2
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Caine, Catherine	276	1
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Ferguson, George B	69	1
Galland, Washington	116	1
Hancock, William	1364	5
Handlin, William W	431	2
Harter, Thomas O	849	3
Hayford, Axel	69	1
Hazen, G. M., and others	934	3
Heberer, John	608	2
Henkel, Philip	1199	4
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Howland, Juanita	1367	5
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Johnson, Peter	1336	5
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McCool, Wells C	466	2
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	465	2
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Mullin, Mary P	1335	5
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Black, L. E	1280	4
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Branch, Jesse L	1281	4
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Crider, R. H	37	1
Cummings, Doyle & Co	39	1
Davis, Enoch	278	1
Deitrich, Emily	1279	4
Delille, Jean	1279	4
Dent, Warren R	332	2
Deucatte, Odon	83	1
Donato, Auguste, heirs of	329	2
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Glassie, D. W. and Minna H	85	1
Grivot, Maurice, heirs of	1427	5
Hamm, John M	1277	4
Hickman, M. T	1279	4
Holt, John M	1281	4
Hoover, James C	1281	4
Hopper, William, estate of	17	1
Howard, Samuel	13	1
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Keegan, Mary E	330	2
Kelly, Peter, estate of	334	2
Kergon, Thomas	335	2
Lawhead, William, administrator of John	327	2
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Lazare, Jean Baptiste, estate of	329	2
Lee, A. S	281	1
Leiper, John	1281	4
Lemell, E	1279	4
Lillard, B., estate of	1278	4
Lovelace, Emma C	241	1
Lovell, Louisa Q., and others	12	1
McGloughlin, Virginia	329	2
McGuffee, G. V., sr	332	2
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McNamara, Stephen	1275	4
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Oakley, E. C., administrator	1280	4
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Timberlake, S. R.	1280	4
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Vanguat, Louis	329	2
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Wesson, Randolph	81	1
Wolfson, Caroline L., widow of Jacob A	1279	4
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Tabor, H. A. W	1733	7
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Boyd, George W	1302	4
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Christopher, Mary B	913	7
Ferris, Adelia S	1 98	1
Frymire, George L	064	10
Gibson, Guy W	2065	10
Hahn, Lydia E	2861	3
Harris, Martha A	1805	7
Heninger, Louis	1446	5
Hull, Mary E	863	3
La Tourette, Henry S	1029	4
Leibarger, Phebe, estate of	862	3
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Reeves, Louisa J	1623	5
Rigg, Druzilla J	2097	10
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Armelin, Charles, estate of	831	3
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Atlanta, Ga., St. Philip's Church	660	2
Austin, Sterling T., heirs of	125	1
Baker, Sarah K. T	132	1
Bass, Giles W	650	2
Bell, Mary A	660	2
Bigley, Nicholas J	343	2
Billingslea, Walter R	649	2
Bishop, James	136	1
Black, Joseph	832	3
Bloom, Henrietta Y	832	3
Boardman, William, administrator of	798	3
Booth, M. A	659	2
Bowling, John, heirs of	1545	5
Breaux, Pierre	831	3
Brewer, Elvy	657	2
Briant, Mrs. E. H	831	3
Bridges, Sarah E	661	2
Bridgewater, P. H	1408	5
Broadwell, Marcus L	153	1
Brooks, John G. W	32	1
Brown, Thomas	650	2
Bugg, J. H., and others	127	1
Burditt, Augustus P	342	2
Caldwell, John R	650	2
California	254	1
Carpenter, George	650	2
Carr, Rogers & Co	814	3
Cazes, Bertrand & Gaudin	47	1
Certain claims for stores and supplies	1510	5
Cheek, R. T	648	2
Chouteau, Charles P	50	1
Chum, A. B	651	2
Citizens' Bank, Louisiana	340	2
Claims of States	555	2
Clapp, George M	268	1
Collins, Joseph	832	3
Cook, James A	1638	5
Cook, Jared R	649	2
Cook, Matilda	138	1
Cordill, Joseph	829	3
Cothes, H., heirs of	26	1
Cousens, George Lewis	216	1
Crider, S. F	131	1
Cross, Joel	660	2
Crow, William	658	2
Crum, Elizabeth and B. L	597	2
Cummings, Phœbe	649	2
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Darly, F. O., estate of	831	3
Davis, A. W	598	2
Davis, Mark, heirs of	33	1
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Dougherty, Mary A	648	2
Douglass, W. W., adminstrator	832	3
Downing, A. B., estate of	649	2
Duffy, Eugenia and W. B	829	3
Elzey, John	829	3
Ennis, William B	129	1
Engs, Samuel F	596	2
Fagot, Emile, heirs of	832	3
Fels, Samuel	134	1
Filhiol, Hypolite, and others	45	1
Fletcher, Nathan, heirs of	1179	4
Flowers, Elizabeth	661	2
Fraliex, Martin	660	2
Frasuer, Eli	660	2
Frizell, James S	135	1
Frobel, Elizabeth D. and Anna S	140	1
Fuller, J. B	648	2
Fusilier, Corinne Perret	831	3
Gallott, Julia	832	3
Gilfoil, Patrick	829	3
Goodrich, A. E. and M. E	832	3
Govan, J. J	658	2
Greenhill, Thomas C	650	2
Gregory, James A	156	1
Guidry, Lesant, heirs of	831	3
Groom, William G	139	1
Gullory, Martin	832	3
Hall, Goff A	52	1
Hall, Warren	53	1
	1361	5
Hamilton, G. Dwight	375	2
Harvill, Mrs. L. J	651	2
Haywood, Mrs. W. Dallas	661	2
Heard, James A	650	2
Hebert, Eliza E	54	1
Heborn, Adaline L., estate of	649	2
Heiskell, Ann E	143	1
Henson, Hugh M	42	1
Higgin, Richard, estate of	658	2
Higgins, John M	605	2
Hildreth, William W., deceased	36	1
Hill, Alexander, estate of	832	3
Hill, Joseph A	659	2
Hoffman, R. H	322	1
Holbrook, Julia	659	2
Holt, C. G., administrator of Willey	661	2
Hopper, W. A., administrator of David	649	2
Hughes, William	48	1
Hughes, William H., administrator	43	1
Humphries, Julia A	149	1
Hurdle, Eunice	597	2
Interest on money expended in raising troops	555	2
Isgrig, Thomas C	412	2
Izard, Florimond	832	3
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Kimmons, William M	597	2
Koons, Anthony	34	1
Labell, Charles	657	2
La Fayette College	650	2
Lafferty, James	658	2
Lafleur, Ben M	832	3
Lafleur, Jean Pierre	832	3
Lafleur, Marcelin	832	3
La Grange Synodical College	29	1
La Grange College	650	2
Lanier, N. B	649	2
Lastrapres, Victor	832	3
Leduff, Alexis	832	3
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Lemelle, Charles, estate of	832	3
Lemelle, Leon	832	3
Lemelle, Ludger, estate of	832	3
Lemelle, Rigobert, estate of	832	3
Lement, Pierre	832	3
Lewis, Abner D	658	2
Linn, Jane	152	1
Little Rock and Memphis Railroad Company	885	3
Logan, Mary T., widow of A. L	651	2
Long, Henry W	657	2
Loyal citizens of Loudoun County, Va	1018	4
Lutz, Andrew	141	1
Lynch, John A	1577	5
McBrayer, John H	1543	5
McClintock, Joseph B	148	1
McConnell, C. J	419	2
McLellan, Leander C	1594	5
McLeod, Daniel, legal representatives of	797	3
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McNeill, John C	661	2
Maddox, Laura E	886	3
Madison Female Institute	1050	4
Magill, Lydia A., administratrix	323	2
Marsh, Samuel	151	1
Marshall, Levin R., executors of	260	1
Mastin, Claude H	150	1
Matlock, E. S., estate of	597	2
Meador, Zaddock	661	2
Meaher, Timothy, administrator of J. M	651	2
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Millet, Francis	359	2
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Nevada	254	1
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Pollard, A. W	128	1
Pitzer, T. T	1409	5
Rabot, Jean Baptiste	832	3
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Rhea, John L., executor of Samuel	358	2
Rhodes, John, and wife	144	1
Rice, W. H	650	2
Ripley, E. W., estate of	832	3
Ritchie, Cordelia A	796	3
Robb, William N	1544	5
Robertson, Mary H. S	51	1
Rose, Merritt	154	1
Rudd, J. C	142	1
Sammis, John S	145	1
Sanders, David B., estate of	27	1
Sanders, W. W., deceased	832	3
Sanford, Martha Ann	658	2
Scanlan, Mrs. W. H	830	3
Schaumburg, James W	344	2
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Scott, John D	659	2
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Sessions, Franklin	648	2
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Sheely, Ann	829	3
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Sigur, John A	831	3
Simmons, J. W	659	2
Sims, James	418	2
Smith, A. J	651	2
Smith, Nancy C	597	2
Smith, Sarah E. B	1647	7
Smith, Vasti	661	2
Solair, Fannie	829	3
Sparks, D. M., estate of	651	2
St. Charles, Mo., St. Charles College	215	1
Stiff, Martha	1387	5
Stirman, Thomas V., deceased	157	1
Stovall, J. H	48	1
Stores and supplies, claims for	1552	5
Strickland, Jesse H	217	1
Summer, Margaret	649	2
Tate, Sally Sterrett	147	1
Morin, Catherine, heirs of	38	1

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Traweek, Mrs. E. L	657	2
Turner, Zeph	534	2
Unsell, David, estate of	43	1
Valleau, Sarah J	832	3
Vaughan, W. H	155	1
Verdin, Romain, estate of	831	3
Vignes, Polona	832	3
Walker, Julius	659	2
Wallace, Thomas	658	2
Ware, Henry	44	1
Warterfield, P. F., deceased	1131	4
Watkins, Nancy	650	2
Webb, William S	650	2
Whitaker, William	649	2
Wilhite, H	1891	7
Williamson, John E., administrator	1206	4
Willis, William B., deceased	649	2
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Mailloux, Belle Carlton	1085	4
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O'Connor, Mary	1301	4
Shaw, Clara V	1388	5
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Hartford, Conn	1821	7
Hoboken, N. J	1794	3
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Nashua, N. H	1122	7
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Bevins, Samuel	208	1
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Boyd, Orsemus B	751	3
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Gage, E. Darwin	2033	10
Hanson, Willis F	201	1
Hershe, Benjamin F	200	1
Horn, Fritz	209	1
Huse, Caleb	2034	10
Jackson, George	197	1
King, Orris O	204	1
McFarland, James A	195	1
Murray, Joseph	202	1
Schlapp, August	198	1
Scott, Austin A	199	1
Sheehy, Michael	207	1
Simpson, Isaac S	2125	10
Thompson, George W	192	1
Workman, Thomas C	210	1
Wright, Henry H	203	1
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Anderson, Samuel S	1783	7
Askew, John J	2029	10
Athon, Levenia D	1930	7
Aubrey, Andrew J	1983	10
Bacon, Mary L	1762	7
Barnard, Anna E	2076	10
Belger, Fanny N	1786	7
Bell, Luman	2089	10
Bethards, Henry J	975	4
Birch, William A	223	1
Bolings, Samuel J	222	1
Bradford, Joseph J	1710	5
Bridges, Rebecca	1982	10
Briggs, Samuel G	1949	7
Brown, Elisha	1861	7
Burrough, William	743	3
Burton, Felix	1843	7
Byrd, Susan C	1932	7
Calhoun, Maggie E	1715	7
Campbell, Nancy	1782	7
Campbell, Robert S	1757	7
Carpenter, Ellen	2047	10
Chapman, Edward R	902	3
Churchill, Benjamin	976	4
Clark, George W	2031	10
Cleaveland, Jesse	1836	7

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Conroy, Eliza	2077	10
Copen, Addison M	998	4
Copenhaver, A. J	1934	7
Craig, Joseph	1992	10
Crawford, Elizabeth R	336	2
Dally, Abraham	1709	7
Davis, James A	339	2
Davis, Susanna	1838	7
Day, Cornelius	1997	10
Dean, John A	1863	7
Donnelly, Peter	805	3
Dunn, Philip G	1714	7
Dyall, James R., widow of	1978	10
Falkner, Nathan	1760	7
Farquharson, Mrs. S. A	1785	7
Fisher, Samuel O	55	1
Fields, John	2030	10
Frazier, Stark	679	2
Goodwin, Miles	1051	4
Graham, Amelia	1981	10
Granberry, Joseph J	1765	7
Hall, Jacob	1834	7
Harley, Elizabeth	1835	7
Hollis, Mary	1994	10
Jergins, Jesse J	1777	7
Jobe, Lavina	1711	7
Jones, Andrew J	338	2
Kennedy, Anthony M	807	3
Kingsley, Sterling	1775	7
Kirtley, James W	1716	7
Kramer, Andrew	681	2
Landes, Abraham	901	3
Lane, James	1832	7
Lane, Lewis	221	1
Lang, D. M	899	3
Larnard, Helen	2116	10
Luttrell, Samuel	1961	10
Lyon, Harry	1948	7
McElvey, Harmon H	489	2
Malloy, John	1996	10
Matlock, John	2032	10
Menefee, Mary A	1712	7
Mercer, John	900	3
Merritt, Henry	1778	7
Mexican war, increase of pension to certain soldiers	1959	10
Morgan, Benjamin	1977	10
Murphy, Susan S	1979	10
Nindemann, William F. C	981	2
Owen, L. D	1931	7
Pierce, Eliza B	1837	7
Prator, John D	1776	7
Ramey, Jonathan	488	2
Reed, David	806	3
Renfro, Nancy E	224	1
Riggs, Reuben	1713	7
Rowland, Thomas J	1964	10
Russell, William	1833	------
Sanderson, Louis G	1995	10
Sigler, Phebe	1758	7
Simmons, Abraham B	1759	7

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Smith, Caroline A	808	3
Smith, James	1781	7
Staley, Noah	337	2
Tendoy, Chief of Bannock, Shoshone, and Sheepeater tribe of Indians	1830	7
Thomas, Edward	680	2
Trimble, Mary E	1862	7
Tucker, Thomas	1998	10
Turner, Margaret	56	1
Ware, Perry G	973	4
Watson, William M	1719	7
Webster, Amelia R	804	3
White, George W	487	2
White, Jeremiah	1764	7
Woodward, William S	485	2
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Brooks, William H. H	1488	5
Burks, William H. H	1488	5
Cartersville (Ga.) First Baptist Church	292	1
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Deslonds, Mrs. Frank	1370	5
Dunklee, William M., administrator	1251	4
Edwards, Emily	1375	5
Fletcher, Nathan, heirs of	600	2
Florence (Ala.) Masonic Lodge	601	2
Garrison, Nemiah	111	1
Grivot, Maurice, heirs of	376	2
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Huntsville (Ala.) Methodist Episcopal Church	264	1
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52D CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { REPORT No. 1960.

A COMPILATION

OF THE

LABOR LAWS OF THE VARIOUS STATES AND TERRITORIES

AND THE

DISTRICT OF COLUMBIA.

PREPARED UNDER THE DIRECTION OF CARROLL D. WRIGHT, COMMISSIONER OF LABOR, FOR THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE OF THE HOUSE OF REPRESENTATIVES, TO ACCOMPANY A REPORT SUBMITTED BY HON. JOHN J. O'NEILL, OF THAT COMMITTEE, JULY 20, 1892.

JULY 20, 1892.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

WASHINGTON:
GOVERNMENT PRINTING OFFICE,
1892.

REPORT ON THE LABOR LAWS OF THE UNITED STATES, JULY 20, 1892.

Mr. O'NEILL, of Missouri, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT:

[To accompany H. Res. 152.]

The Committee on Interstate and Foreign Commerce, to which was referred H. Res. 152, "providing for the compilation of the labor laws, etc., of the various States and Territories and the District of Columbia," submit the following report:

The committee, recognizing the great benefits that will be derived by the people from a knowledge of the labor laws now in force, hereto append a compilation thereof furnished by the Department of Labor.

LETTER FROM THE COMMISSIONER OF LABOR.

DEPARTMENT OF LABOR,
July 20, 1892.

SIR: In obedience to the request of the Committee on Interstate and Foreign Commerce of the House of Representatives, I have the honor to hand you herewith a compilation of the labor laws of the various States and Territories and of the District of Columbia.

In preparing this compilation the first question to arise related to the legislative year with which to close the compilation. It was manifestly impossible to bring this report fully up to date, and it was therefore determined to bring it up to a date to include those laws passed prior to the legislative sessions of the year 1890–'91. This has been done, and in the case of the Federal statutes the labor legislation of the year 1890–'91 has also been included.

The table following contains a statement for each State and Territory, as to whether the sessions of its legislature are held annually or biennially, its latest session laws that have been examined for material for this compilation, and the year in which its subsequent session was held. In many cases the session laws of States are not printed for many months after the close of the session. It has been impossible, therefore, to include the legislation of 1892 and, for some States, of 1891 in this compilation of laws;

Sessions of legislature, whether annual or biennial, latest session laws examined, etc.

State.	Sessions of legislature annual or biennial.	Latest session laws examined.	Next session in the year—
Alabama	Biennial	1888-'89	1890-'91
Arizona	do	1889	1891
Arkansas	do	1889	1891
California	do	1889	1891
Colorado	do	1889	1891
Connecticut	do	1889	1891
Delaware	do	1889	1891
District of Columbia	Annual	1889-'90	1890-'91
Florida	Biennial	1889	1891
Georgia	Annual	1890	1891
Idaho	Biennial	1888-'89	1890-'91
Illinois	do	a 1890	1891
Indiana	do	1889	1891
Iowa	do	1890	1892
Kansas	do	1889	1891
Kentucky	do	1889-'90	1891-'92
Louisiana	do	1890	1892
Maine	do	1889	1891
Maryland	do	1890	1892
Massachusetts	Annual	1890	1891
Michigan	Biennial	1889	1891
Minnesota	do	1889	1891
Mississippi	do	1890	1892
Missouri	do	1889	1891
Montana	do	1889	1891
Nebraska	do	1889	1891
Nevada	do	1889	1891
New Hampshire	do	1889	1891
New Jersey	Annual	1890	1891
New Mexico	Biennial	1888-'89	1890-'91
New York	Annual	1890	1891
North Carolina	Biennial	1889	1891
North Dakota	do	1889-'90	1891
Ohio	Annual	1890	1891
Oregon	Biennial	1889	1891
Pennsylvania	do	1889	1891
Rhode Island	Annual	1890	1891
South Carolina	do	1890	1891
South Dakota	Biennial	1890	1892
Tennessee	do	1889	1891
Texas	do	1889	1891
Utah	do	1890	1892
Vermont	do	1890	1892
Virginia	Annual	1889-'90	1890-'91
Washington	Biennial	1889-'90	1891-'92
West Virginia	do	a 1890	1891
Wisconsin	do	a 1890	1891
Wyoming	do	1890	1892
United States	Annual	1890-'91	1891-'92

a Extra session.

Questions have arisen from time to time in the progress of this work as to what classes of legislation could be said to have such a bearing on the general subject of labor as to warrant their inclusion therein. Many laws have been enacted, particularly in recent years, designed directly to affect the subject of labor in many of its various phases. These laws have, of course, been included. There are, however, many laws on the statute books not designed to be distinctly labor laws, but to be of a more general application. Still, in their actual application, many of these laws would seem to affect the laboring classes more than others, or at least to have a bearing upon the condition of the laboring man. A good example of this class are the exemption laws. Such laws may be deemed to have a place in any compilation of laws designed to illustrate the state of legislation bearing upon labor, and the intention has been to include all such laws herein.

The question, however, as to whether a certain law would properly fall within this class is largely a matter of judgment, and it may well

happen that some laws, not here included, may in the opinion of some, be as clearly entitled to a place in this volume as many of those which appear therein. Somewhere, however, the line had to be drawn, and, great care having been taken, it is confidently believed that the judgment of the Department in this matter will be generally approved. Owing to the voluminous character of the laws relating to apprentices and to the liens of mechanics and laborers it has not seemed wise to incorporate them in full into the body of this work or even to present a complete digest of their provisions. In addition to the reason stated another reason arises in the case of the apprentice laws, viz: That for practical industrial purposes these laws are about obsolete. Digests have, however, been made of the main features of these laws, that of the apprentice laws being preceded by a reproduction in full of the apprentice laws of the State of New York, which seem to be the most complete and the fullest of all the laws of this country upon that subject.

The language used in the notes of these digests is almost entirely the exact language of the statutes themselves, and no attempt to alter or improve the same has been made. Any such attempt would have been fraught with the danger of changing the meaning of the statutes involved.

By reason of the fact that a legal holiday may give a day of rest to some at least of the laboring classes, and the further fact that several of the States have by their legislatures created a legal holiday known as "labor day," a statement showing the legal holidays of the different States may properly have its place in a work of this kind. A table showing the legal holidays of the country has therefore been prepared, it not being thought necessary to occupy space by publishing these laws in full. While, however, the table shows all the holidays of the country, including "labor day," yet, in the case of this holiday, an exception has been made and the laws creating the same have been published in full in the body of this work. This has been done, first, because such laws are generally short and do not fill much space, and, second, because it is thought that their wording and form might be of interest and use to those wishing to urge the passage of similar laws by the legislatures of their States. This table of legal holidays and the digests of the apprentice and lien laws, above referred to, are placed in a chapter together, which makes the first chapter of this work.

The second chapter of this work comprises all the labor laws passed by the legislatures of the States and Territories and by the Congress of the United States, other than those contained in the first chapter. The laws of each State and Territory are published together under the head of said State or Territory, and the arrangement by States, etc., is in alphabetical order, beginning with Alabama and ending with Wyoming. These are immediately followed by such labor legislation as has been found in the federal statutes. Under the head of each State and Territory the general arrangement has been to publish the laws in the order in which they were passed. It has been deemed best to publish these laws literally and practically in full. No attempt has been made to abstract them, principally for the reason that in so doing the question of interpretation, which properly belongs to the courts alone, would necessarily be involved. It frequently happens, however, that one or more sections of an act may have no bearing at all upon the subject of labor, while other sections of the same act may. In such cases only those sections which do so relate to labor have been published. Again, in a section which generally affects the subject of labor,

certain paragraphs may have no bearing thereon. Such paragraphs or sentences have been omitted from this work and their absence is indicated by stars. In this connection it is well to state that exceeding care has been taken to omit no provision which is not clearly and obviously outside the subject treated in this volume, and where any reasonable doubt has arisen the provision has generally been included. It is quite possible, therefore, that some matter may be published herein that will appear to some to be of little importance in the consideration of this subject. The error in this matter, if one exists, is one of judgment and clearly on the side of safety.

It has been the aim of the Department to collect all the legislation of the country bearing on the subject of labor into one volume, and to present it in the most simple and clearest form possible. The greatest care has been taken, every volume of the laws in the library having been carefully searched at least twice, the last time by turning the pages one by one and not relying on the indices. Nevertheless it is possible that something that should have been included has been overlooked, and it would be folly to assert that errors of judgment have not been made. Such abilities and habits of industry as the compiler, S. D. Fessenden, esq., of the Department possesses, have been honestly and earnestly devoted to accomplishing the task set before him in a satisfactory manner, and it is hoped that it will meet with approval. To him and to the chief clerk of the Department, Mr. O. W. Weaver, I am greatly indebted. Under my supervision they have labored assiduously to produce a valuable compilation of labor laws, a work which I am sure will be appreciated by the public.

Respectfully, your obedient servant,

CARROLL D. WRIGHT,
Commissioner.

Hon. JOHN J. O'NEILL,
Committee on Interstate and Foreign Commerce.

CHAPTER I.

LIENS.

A lien is defined by Bouvier to be "a hold or claim which one person has upon the property of another as a security for some debt or charge." (Bouvier Law Dict., Vol. II, p. 88.)

The lien of mechanics and material men on buildings and for work done and materials furnished is unknown either at common law or in equity, but it exists in all the United States to a greater or less extent by statute. (Bouv. Law Dict., Vol. II, p. 97.)

DIGEST OF LIEN LAWS.

MECHANICS' LIEN ACTS.

OF THE LIEN.

[See notes, pp. 7 to 9.]

In the States and Territories following, any person furnishing labor or materials for the erection or repair of a building has a mechanic's lien on the building and on the land on which it is situated, subject to certain conditions:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

NOTES.

The limitations, modifications, etc., operative in the States and Territories are as follows:

Alabama.—Lien also given to any person furnishing fixtures, boilers, engines, or machinery. The lien attaches in a city, town, or village to the right, title, and interest of the owner of the building in the entire lot of land on which it is situated; in the country, to his interest in 1 acre of the land only.

Arizona.—Lien also given to any person furnishing machinery, fixtures, or tools. Lien also given for the improvement or alteration of a building. Lien also attaches to the fixtures or improvements furnished. Lien, in city, town, or village, attaches to entire lot or lots on which the building is situated; in the country to 10 acres.

Arkansas.—Lien is also given to any person furnishing machinery or fixtures. Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien attaches to all the land around the building, not exceeding 2 acres.

California.—Lien also given for the alteration of or addition to a building. The lien attaches to the interest of the owner of the building in the land on which the building stands and a convenient space around it.

Colorado.—Lien also given for the enlargement or alteration of a building. Lien attaches to so much of the land belonging to the owner of the building as may be necessary for its convenient use or occupation.

Connecticut.—Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien also attaches to the appurtenances of the building. To entitle to lien, claim must exceed $25.

Delaware.—To entitle to lien, claim must exceed $25. Lien also given for the alteration of any building.

District of Columbia.—Lien also given to any person furnishing fixtures, engines, or machinery. The lien only attaches to the land when said land belongs to the owner of the building situated thereon.

Florida.—Lien attaches to the owner's interest in the land on which his building is situated.

Georgia.—The lien only attaches to the land when said land belongs to the owner of the building situated thereon.

Idaho.—Lien also given for the alteration of any building. The lien attaches to the interest of the owner of the building in the land on which it stands, a convenient space about it, and so much more as may be necessary for its convenient use and occupation.

Illinois.—Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien also attaches to the appurtenances of the building. Lien also given for the ornamentation, alteration, and beautifying of a building.

Indiana.—Lien attaches to the owner's interest in the land on which his building is situated. Lien also given for the alteration or removing of a building.

Iowa.—Lien is also given to any person furnishing machinery or fixtures. The lien only attaches to the land when said land belongs to the owner of the building situated thereon.

Kansas.—Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien also attaches to the appurtenances of the building. Lien also given for the alteration of a building, for putting up fixtures, machinery, or attachments to the building, and for planting trees, vines, plants, or hedges on the land.

Kentucky.—Lien attaches to the owner's interest in the land on which his building is situated. Lien also given for the alteration of a building and for the excavation of cellars, cisterns, vaults, and wells.

Louisiana.—The lien attaches to the interest of the owner of the building in the land on which it is situated not exceeding 1 acre in extent.

Maine.—Lien also given for the alteration of a building. Lien attaches to the owner's interest in the land on which his building is situated.

Maryland.—Lien also given for the rebuilding or improving of a building. The repairing, rebuilding, or improving of a building must be to the extent of one-fourth of its value to entitle to lien. The lien attaches to the interest of the owner of the building in the land covered by it, and so much more around as is necessary for the ordinary and useful purposes of the building.

Massachusetts.—The same as Maine above.

Michigan.—Lien also attaches to the appurtenances of the building. Lien also given for the alteration and ornamentation of a building. The lien attaches, in a city or village, to the interest of the owner of the building in the whole of the lot or lots of land on which the improvements were made; in the country, to his interest in not more than one quarter section of the land.

Minnesota.—Lien is also given for the alteration or removal of a building. Lien also given to any person furnishing skill or machinery. The lien attaches, in a city or incorporated village, to the interest of the owner of the building in not more than 1 acre of the land on which it is situated or to which it may be removed; in the country, to not more than 40 acres of said land.

Mississippi.—Lien also given for the alteration of a building. Lien attaches to the owner's interest in the land on which his building is situated. If the work is done in whole or in part under contract the original contractor only is entitled to the lien, and no building or land in this State shall be liable for work done or materials furnished by any person not employed by the owner.

Missouri.—The same as Alabama above.

Montana.—The lien attaches in a city, town, or village to the right, title, and interest of the owner of the building in the entire lot of land on which it is situated; in the country, to his interest in 1 acre of the land only. Lien is also given to any person furnishing machinery or fixtures.

Nebraska.—Lien is also given to any person furnishing machinery or fixtures. Lien also given for the removing of a building.

Nevada.—The lien attaches to the interest of the owner of the building in the land on which the building stands and a convenient space around it. Lien also given for the alteration of a building. To entitle to lien, claim must amount to $5 or more.

New Hampshire.—Lien also given for the alteration of a building. Lien attaches to the owner's interest in the land on which his building is situated. To entitle to lien, claim must amount to $15 or more.

New Jersey.—Lien also given for the addition to or alteration of a building, but only to original contractor for the alteration.

New Mexico.—The same as Idaho above.

New York.—Lien also given for the alteration of a building. Lien also given to any person equipping a building with chandeliers, brackets, fixtures, or apparatus for supplying gas or electric light. Lien attaches to the interest of the owner of the building in the lot, premises, parcel or farm of land on which it stands or is intended to stand.

North Carolina.—Lien also given for the rebuilding or improving of a building. Lien attaches to the necessary lots of land on which the building is situated.

North Dakota.—Lien is also given to any person furnishing machinery or fixtures. Lien attaches to the owner's interest in the land on which his building is situated.

Ohio.—Lien also given for the alteration or removal of a building. Lien also given to any person furnishing machinery. Lien attaches to the interest of the owner of the building in the land on which it is situated or to which it may be removed, and also to the material and machinery furnished.

Oregon.—The lien attaches to the interest of the owner of the building in the land on which the building stands and a convenient space around it. Lien also given for the alteration of a building.

Pennsylvania.—Lien also given for the addition to or alteration of a building. To entitle to lien for erection of a building the claim must be of $10 or more, and to entitle to lien for the addition to or repair or alteration of a building the claim must be for $20 or more. Lien attaches to the interest of the owner of the building in the land covered by it and so much adjacent thereto as may be necessary for the ordinary and useful purposes thereof. On leaseholds the lien is given only for the erection of a building.

Rhode Island.—Lien attaches to all steam engines and parts thereof, all boilers, kettles, or vats made of iron, copper, wood, or other materials, and all water wheels, gearing, or shafting in any building and there used or intended to be used, and all steam pipes, gas pipes, and water pipes, cocks and eaves troughs made of copper or other metal attached to any building, and to so much of the owner's land under and adjoining his building as the person claiming the lien may choose to describe in his commencement of legal process.

South Carolina.—The same as Maine above.

South Dakota.—The same as North Dakota above.

Tennessee.—Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien also given for furnishing or erecting fixtures or machinery. Lien also attaches to the fixtures and improvements.

Texas.—Lien also given to any person furnishing machinery, fixtures, or tools. Lien attaches to the fixtures and improvements and to the land on which the building stands; if in city, town, or village, on the lot or lots necessarily connected therewith; if in the country, to 50 acres.

Utah.—Lien also given for the enlargement or alteration of a building. Lien attaches to so much of the land on which the building is situated as may be necessary for the convenient use and occupation of the building, but only in cases where the owner of the building is also the owner of the land. It also attaches to rights of water, rights of way, and to all franchises and charter privileges of corporations.

Vermont.—Lien also given for the alteration or removal of a building.

Virginia.—Lien does not attach to a building for repairs unless said repairs were ordered by the owner. Lien attaches to the interest of the owner of the building in so much of the land on which it is situated as is necessary for the convenient use and enjoyment of the premises.

Washington.—The same as Idaho above.

West Virginia.—Lien is given only in cases where the owner of the building is also the owner of the land on which it is situated. Lien also given for the alteration of a building.

Wisconsin.—Lien also given to any person preparing plans or estimates. Lien also given for the protection or removal of a building. The lien attaches, in an incorporated city or town, to the interest of the owner of the building in not more than one acre of the land on which it is situated; in the country, to his interest in not more than 40 acres of said land.

Wyoming.—Lien also given to any person furnishing fixtures, boilers, engines, or machinery. Lien attaches to the owner's interest in the land on which his building is situated.

NATURE OF IMPROVEMENT.

[See notes, pp. 11 to 15.]

Besides ordinary buildings, the lien is expressly extended, in the States and Territories noted below, to persons furnishing materials or performing labor in the construction or improvement of—

Aqueducts: Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, Washington.

Any improvement of a building: Rhode Island.

Any improvement on land: Alabama, Arizona, Arkansas, Iowa, Kansas, Kentucky, Missouri, Montana, North Dakota, South Dakota, Texas, Utah, Wyoming.

Any structure on land: Arizona, California, Idaho, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, Oregon, South Carolina, Utah, Virginia, Washington.

Appurtenances of a building: Maine, Minnesota, Nebraska, New Hampshire, New York, Ohio, West Virginia.

Bridges: Arizona, California, Colorado, Delaware, Idaho, Indiana, Louisiana, Maryland, Minnesota, Mississippi, Montana, Nevada, New Mexico, New York, Ohio, Oregon, Utah, Washington, Wisconsin.

Bulkheads: New York.

Canals: Arizona, Colorado, Florida, Louisiana, Montana, Nevada, Rhode Island, Utah.

Cisterns: Michigan.

Coal breakers, pump gearing, and hoisting gearing: Pennsylvania.

Cord wood: Arizona.

Ditches: Arizona, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, Oregon, Utah, Washington.

Dikes: Washington.

Electric-light lines: Minnesota, Montana.

Engines: Florida, Pennsylvania, Vermont.

Farms: Florida, Montana, North Carolina.

Fences: Arizona, Idaho, Minnesota, Mississippi, Nevada, New Mexico, Oregon, Washington.

Fixtures: Florida, Kentucky, Minnesota, Mississippi, New Jersey, Ohio, Pennsylvania.

Flumes: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington.

Furnaces and furnace materials: Ohio.

Gardens, groves, orchards, parks, and other grounds: Florida.

Gas-pipe lines: Minnesota, Montana.

Hoisting works: Arizona, Nevada.

Hydraulic power: Idaho.

Implements: Florida.

Land: California, District of Columbia, Idaho, Kansas, Minnesota, Montana, Nevada, New Mexico, Oregon, Washington, Wisconsin.

Leaseholds and constructions thereon: Pennsylvania.

Levees: Louisiana.

Locomotives and cars: Florida.

Machines or machinery: Florida, Georgia, Idaho, Indiana, Kentucky, Maryland, Michigan, Mississippi, New Jersey, New Mexico, Oregon, Pennsylvania, Washington, Wisconsin.

Mills and manufactories: Arizona, Delaware, Georgia, Mississippi, Nevada, New Jersey.

Mines or mining claims: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Ohio, Utah, Washington.

Property, real or personal: North Carolina, West Virginia.

Quartz lodes: Montana.

Railroads: Arizona, California, Colorado, Connecticut, Florida, Georgia, Idaho, Indiana, Louisiana, Minnesota, Mississippi, Montana, Nevada, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Washington.

Reservoirs: Arizona, Colorado, Indiana, Nevada, Utah.

Stock in stores: Florida, Indiana.

Sub-way conduit lines: Minnesota.

Systems of water works: Indiana.

Telegraph or telephone lines: Florida, Minnesota, Montana.

Toll roads and turnpikes: Colorado, Nevada, Rhode Island, Utah.

Tools: Indiana.

Tramways: Colorado, Nevada, Utah.

Tunnels: California, Idaho, New Mexico, Oregon, Washington.

Vaults: New York.
Vessels: Arizona, Arkansas, Delaware, Minnesota, North Carolina, Ohio.
Wagon roads: California, Colorado, Idaho, New Mexico, Utah, Washington.
Water lots: Wisconsin.
Water-pipe lines: Montana.
Water wheels: Vermont.
Wells: Michigan, Ohio.
Wharves: California, Colorado, Delaware, District of Columbia, Florida, Idaho, Maryland, Michigan, Minnesota, New Mexico, New York, Oregon, Pennsylvania, Utah, Washington.
Windmills: Florida.

NOTES.

In certain of the States and Territories the following limitations or modifications are operative:

AQUEDUCTS.

Utah.—Lien also given for the extension, enlargement, alteration, or repair.

ANY IMPROVEMENT ON LAND.

Arizona.—Lien given for improving lot or street in front by filling, grading, etc.
North Dakota.—Any erection or improvement on land including any work of internal improvement, but not including the furnishing of lightning rods or any of their improvements.
South Dakota.—The same as North Dakota above.

ANY STRUCTURE ON LAND.

Arizona.—Lien given for improving lot or street in front by filling, grading, etc.
Minnesota.—Lien also given for the alteration, repair, or removal.
Nevada.—Lien also given on any superstructure on land.
Oregon.—The same as Nevada above.

APPURTENANCES OF A BUILDING.

Ohio.—Lien also given for the alteration, repair, or removal.

BRIDGES.

Delaware.—Lien also given for the alteration or repair.
Minnesota.—Lien also given for the alteration, repair, or removal.
New York.—Lien also given on trestles.
Ohio.—The same as Minnesota above.
Utah.—Lien also given for the extension, enlargement, alteration, or repair.

CANALS.

Florida.—Lien also given for the repair and for operating. Lien also attaches to the appurtenances, properties, franchises, machinery, and equipments
Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

COAL BREAKERS.

Pennsylvania.—Lien given for the construction only.

CORD WOOD.

Arizona.—Lien given only for labor in cutting.

DITCHES.

Utah.—Lien also given for the extension, enlargement, alteration, or repair.

ELECTRIC-LIGHT LINES.

Minnesota.—Lien also given for skill or machinery furnished. Lien also given for the alteration or repair. Lien also attaches to fixtures, structures appertaining, franchises, privileges or immunities, and rights of way.

ENGINES.

Florida.—Lien given to persons furnishing said engines, and for labor in repairing or improving them.
Pennsylvania.—Lien given for the construction only.

Vermont.—Lien given only on those erected in or near sawmills, grist mills, or founderies for the purpose of operating machinery therein.

FARMS.

Florida.—Lien given for labor only, and also attaches to all timber, or other material cut, cleared, or removed, and to all crops planted, cultivated, or harvested.

Montana.—Lien given on ranches only.

North Carolina.—Lien attaches also to the crops.

FENCES.

Minnesota.—Lien also given for the alteration, repair, or removal.

Mississippi.—"Palings or other inclosures."

FIXTURES.

Florida.—Lien given for labor only.

Minnesota.—Lien also given for the alteration, repair, or removal.

Mississippi.—Lien given only on fixtures or gearing for manufacturing purposes.

New Jersey.—The same as Mississippi above.

Ohio.—The same as Minnesota above.

Pennsylvania.—Lien given for the construction only.

FLUMES.

Utah.—Lien also given for the extension, enlargement, alteration, or repair.

FURNACES AND FURNACE MATERIALS.

Ohio.—Lien also given for the alteration, repair, or removal.

GARDENS, GROVES, ORCHARDS, PARKS, AND OTHER GROUNDS.

Florida.—Lien given for labor only, and also attaches to all timber, or other material cut, cleared, or removed, and to all crops planted, cultivated, or harvested.

GAS-PIPE LINES.

Minnesota.—Lien also given for skill or machinery furnished. Lien also given for the alteration or repair. Lien also attaches to fixtures, structures appertaining, franchises, privileges or immunities, and rights of way.

HOISTING WORKS.

Nevada.—Lien also given for machinery, boilers, or castings furnished.

IMPLEMENTS.

Florida.—Lien given to persons furnishing said implements and for labor in repairing or improving them.

LAND.

California.—Lien given for improving lots of land in city or town or sidewalk adjoining by filling, grading, etc., or for constructing areas, vaults, cellars, or rooms under said sidewalks.

District of Columbia.—Lien given for improving lots of land by filling them up.

Idaho.—Lien given for improving lot or street in front by filling, grading, etc.

Kansas.—Lien given for making any footwalk on land or sidewalk adjoining.

Minnesota.—Lien given for improving lots of land or sidewalk adjoining by filling, grading, excavating, etc., for digging, constructing, altering, or repairing any ditch, drain, well, fountain, cistern, reservoir, or vault, for laying, constructing, altering, or repairing any sidewalk, curb, gutter, sewer, waterpipe, or gaspipe, whether mains or connections, upon the land or in the half of the sidewalk, street, or alley adjacent or contiguous to said land. The quantity of land covered by said lien must not exceed, in the country, 40 acres, or in a city or town 1 acre.

Nevada.—The same as Idaho above.

New Mexico.—The same as Idaho above.

Oregon.—The same as Idaho above.

Washington.—The same as Idaho above.

Wisconsin.—Lien given for digging or constructing any well or fountain, for digging, building, or repairing any fences or making or repairing any walk, sidewalk, or curbing.

LEASEHOLDS AND CONSTRUCTIONS THEREON.

Pennsylvania.—Lien given for constructing engines, derricks, tanks, machinery, and wood or iron improvements, and for labor only in boring, drilling, or mining on a leasehold.

LOCOMOTIVES AND CARS.

Florida.—Lien given only to persons furnishing said locomotives and cars.

MACHINES OR MACHINERY.

Florida.—Lien given to persons furnishing said machines or machinery and for labor in repairing or improving them.

Georgia.—Lien given for furnishing, putting up, or repairing.

Indiana.—Lien given for labor only.

Pennsylvania.—Lien given for the construction only.

Wisconsin.—Only such machinery as has been so erected or constructed as to become part of the freehold.

MILLS AND MANUFACTORIES.

Georgia.—Lien on factories given to contractors only and for labor, materials, or machinery furnished. Lien on steam mills given to machinists and manufacturers only, and for furnishing, putting up, or repairing the same.

Nevada.—Lien also given for machinery, boilers, or castings furnished.

New Jersey.—Lien given only for the repair of fixed machinery, gearing, or other fixture for manufactory.

MINES OR MINING CLAIMS.

Colorado.—Lien given on mines, lodes, mining claims, deposits of metal, shafts, tunnels, inclines, drifts, adits, or other excavations about mines.

Nevada.—Lien given on a mine, shaft, tunnel, adit, or other excavation for prospecting, draining, or working.

Ohio.—Lien given for labor only, and extends to all the rights of persons or companies owning or leasing the mines, and to all personal property used in conducting the business, wherever situated.

Utah.—Lien given on mines, lodes, mining claims, deposits of metal, shafts, tunnels, inclines, drifts, adits, or other excavations about mines. Lien also given for work done in surveying or platting a mine. The lien on mines, etc., attaches also to rights of water, rights of way, franchises, and charter privileges of the corporations.

PROPERTY—REAL OR PERSONAL.

West Virginia.—Lien given for labor only and only attaches to the real or personal property of incorporated companies.

RAILROADS.

Arizona.—Lien also attaches to the equipments and is also given for labor in operating.

Connecticut.—Lien attaches also to the rights of way, materials, equipment, rolling stock, and franchises.

Florida.—Lien also given for the repair and for operating. Lien also attaches to the appurtenances, properties, franchises, machinery, and equipments.

Georgia.—Lien is given to contractors alone and for constructing the road.

Indiana.—Lien also attaches to rights of way, franchises, and all works or structures made, and is given for constructing or repairing and for grading, building embankments, bridges, trestleworks, works of masonry, or other structures, and making excavations.

Minnesota.—Lien also given for skill or machinery furnished. Lien also given for the alteration or repair. Lien also attaches to fixtures, structures appertaining, franchises, privileges or immunities, and rights of way.

North Dakota.—Lien attaches also to erections, excavations, embankments, bridges, roadbeds, and rights of way.

South Dakota.—The same as North Dakota above.

Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to the rights of water, rights of way, franchises, and charter privileges.

RESERVOIRS.

Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

STOCK IN STORES.

Florida.—Lien given for labor only.
Indiana:—The same as Florida above.

SUBWAY CONDUIT LINES.

Minnesota.—Lien also given for skill or machinery furnished. Lien also given for the alteration or repair. Lien also attaches to fixtures, structures appertaining, franchises, privileges or immunities, and rights of way.

TELEGRAPH OR TELEPHONE LINES.

Florida.—Lien also given for the repair and for operating. Lien also attaches to the appurtenances, properties, franchises, machinery, and equipments.
Minnesota.—Lien also given for skill or machinery furnished. Lien also given for the alteration or repair. Lien also attaches to fixtures, structures appertaining, franchises, privileges or immunities, and rights of way.

TOLL ROADS AND TURNPIKES.

Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

TRAMWAYS.

Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

VESSELS.

Arizona.—Domestic vessels only subject to the lien.
Arkansas.—Lien also given for the alteration or repair.
Delaware.—Lien given on ships and vessels for construction, alteration, rigging, launching, and repairing.
Minnesota.—Lien given on boats, vessels, or water craft for construction, alteration, or repair.
North Carolina.—Lien attaches also to the tackle, apparel, and furniture of the vessels and is also given for labor in loading and unloading.
Ohio.—The same as Minnesota above.

WAGON ROADS.

Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

WATER LOTS.

Wisconsin.—Lien given for filling, for erecting thereon a wharf or permanent structure, or for dredging channel in front.

WATER WHEELS.

Vermont.—Lien given only on those erected in or near sawmills, gristmills, or founderies for the purpose of operating machinery therein.

WELLS.

Ohio.—Lien given on gas, oil, or other well for labor, materials, or machinery furnished in digging, drilling, or boring.

WHARVES.

District of Columbia.—Lien given for constructing wharf or fixture thereon or for dredging channel in front.
Florida.—Lien also given for the repair and for operating. Lien also attaches to the appurtenances, properties, franchises, machinery, and equipments.
Minnesota.—Lien also given for the alteration, repair, or removal.
New York.—Lien also given on piers.
Pennsylvania.—Lien given for the construction only.
Utah.—Lien also given for the extension, enlargement, alteration, or repair. Lien also attaches to rights of water, rights of way, franchises, and charter privileges.

WINDMILLS.

Florida.—Lien given only to persons furnishing said windmill.

RECORD.

[See notes, pp. 15 to 19.]

In the States and Territories named below the lien will not accrue or will be lost unless the party claiming it file a verified statement specifying the property subject to the lien, the amount claimed, and other particulars:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

NOTES.

The particulars in regard to the filing of the statement in the different States and Territories are as follows:

Alabama.—Statement must be filed in office of judge of probate of the county wherein the property is situated by the original contractor within six months, by journeymen or day laborers within thirty days, and by any other person entitled to the lien within four months after indebtedness has accrued. All persons, other than the original contractor, must, before filing statement, give ten days written notice of his claim to owner of property.

Arizona.—When the work is done under a written contract the contract itself must be filed instead of a statement; if the work is done under a verbal contract a statement or "bill of particulars" must be filed and a copy of the same must be furnished the owner of the property or his agent if either are to be found in the county where the property is situated. Said contract or bill of particulars, as the case may be, must be filed in the office of the county recorder of the county wherein the property is situated within sixty days after the completion of the labor or of the furnishing of the material.

Arkansas.—Subcontractor must first deliver to the owner of the property or to owner's agent his written settlement with the contractor, or, if the contractor will not make such settlement, a statement must be delivered. A copy of the settlement or the statement, as the case may be, must be filed by him in the office of the clerk of the circuit court of the county wherein the property is situated within sixty days after the completion of the labor or of the furnishing of the material. All others claiming the lien must file a statement within ninety days after completion of the labor, etc.

California.—A statement must be filed in office of county recorder of county where building is situated by the original contractor within sixty days after completion of his contracts, and by all others within thirty days after the completion of the work.

Colorado.—Statement must be filed in office of county recorder of county in which the property is situated by the contractor within sixty days, and by all others within forty days after the completion of the labor or of the furnishing of the materials. The subcontractor must also serve a copy of said statement on the owner of the property on or before the date of filing.

Connecticut.—Statement must be filed in office of town clerk of town where building is situated within sixty days after the completion of the labor or of the furnishing of the materials. Written notice must be given the owner within sixty days after the completion of the labor or of the furnishing of the materials by all persons claiming the lien, except the original contractor or the subcontractors whose agreement with the contractor has been assented to, in writing, by the owner.

Delaware.—Statement must be filed in the office of the prothonotary of the superior court of the county wherein the building is situated by the original contractor within one hundred and twenty days, and not before the expiration of ninety days, and by all others claiming the lien within ninety days after the completion of the labor or of the furnishing of the materials. This does not apply in case of lien on ship or vessel. The statement of such a claim of lien must be filed within four days after such ship or vessel has been launched, rigged, furnished, or repaired.

District of Columbia.—Statement, which in the District of Columbia, is a mere notice of intention to claim lien, not sworn to, must be filed in the office of the clerk of the supreme court of the District within three months after the completion of the labor or of the furnishing of materials. The statement specifying the property subject to the lien, etc., must be contained in the bill in equity by which the suit is commenced and not in the notice of intention to claim lien.

Florida.—Statement must be filed in office of clerk of circuit court within six months after demand made for payment of claim.

Georgia.—Statement must be filed in office of clerk of superior court of county wherein property is situated, when the lien is for labor, within thirty days after the labor is completed, and when the lien is for materials or machinery furnished within three months after the same is furnished. All persons except an original contractor must give written notice of lien to owner of property before filing.

Idaho.—Statement must be filed in office of county recorder of the county wherein the property is situated by the contractor within sixty days, and by all others within thirty days after the completion of the labor and of the furnishing of the materials. Notice of the claim of lien must be given to the owner by all persons working, etc., for the contractor, and to the contractor by all persons working, etc., for the subcontractor.

Illinois.—Statement must be filed in the office of the clerk of the circuit court in the county wherein the property is situated within four months after the last payment shall have been due and payable. Notice of claim of lien must be given to the owner by all persons except the original contractor unless the contractor shall have filed a statement sufficient to give the owner true notice of the amount due and to whom due.

Indiana.—Statement, which in Indiana is notice, unsworn to, must be filed in the office of the recorder of the county within sixty days after the completion of the labor or of the furnishing of the materials.

Iowa.—Statement must be filed in office of clerk of district court of county wherein the building is situated, by a contractor within ninety days, and by others within thirty days, after the completion of the labor or of the furnishing of the materials. If persons other than the contractor claim the lien against a railroad they shall have sixty days from the last day of the month in which the labor was done or the material furnished in which to file the statement. The failure to file within the specified time will not destroy the lien except as to purchasers and incumbrancers in good faith without notice.

Kansas.—Statement must be filed in the office of the clerk of the district court of the county wherein the building is situated by the contractor within four months, and by all others within sixty days, from the date of completion of labor or of the furnishing of the materials. All persons but the contractor must serve written notice of the filing of said statement upon the owner.

Kentucky.—Statement must be filed in office of county clerk of county in which building is situated within sixty days (except in Madison and McCracken counties) from the date of completion of the labor or of the furnishing of the materials. In Madison and McCracken counties the person claiming the lien has six months from date of completion of labor or of furnishing the materials in which to file statement. All persons claiming the lien other than contractors must give written notice of their claim to the owner within thirty days after doing last labor or furnishing last material.

Louisiana.—The bargain or a certified statement of the amount due or such amount as will probably become due at the expiration of the work must be recorded in the office of the recorder of privileges before the lien will attach.

Maine.—Statement must be filed in office of town clerk of town wherein the building is situated within thirty days from date of completion of labor or of the furnishing of materials.

Maryland.—Statement must be filed in office of clerk of circuit court, or in Baltimore, in the office of the clerk of the superior court of the city, within six months after the completion of the labor or of the furnishing of the materials. All persons except the contractor must within sixty days from the date of completion of the labor or of the furnishing of the materials give written notice to the owner or his agent of his intention to claim the lien.

Massachusetts.—Statement must be filed in office of register of deeds in county wherein building is situated within thirty days after the completion of the labor or of the furnishing of the materials.

Michigan.—Statement must be filed in the office of the register of deeds of the county wherein the property is situated within thirty days after the filing of a verified notice of lien. Said notice must be filed in the office of the register of deeds within sixty days after the completion of the labor or of the furnishing of the materials.

Minnesota.—Statement must be filed in the office of the register of deeds for the county in which the property is situated (with exception noted below) within ninety days from the finishing of the last item of the labor, skill, materials, or machinery. In case of liens on boats, vessels, water craft, railroads, lines of telegraph or telephone, the statement must be filed in the office of the secretary of state.

Mississippi.—No statement is required to be filed. The lien does not take effect, as to purchasers and incumbrancers in good faith and for valuable consideration without notice of lien, until the contract under which the work was done is filed in the office of the chancery clerk of the county wherein the property is situated, or until the commencement of the suit to enforce the lien.

Missouri.—Statement must be filed in the office of the clerk of the circuit court of the proper county, by the original contractor within six months, by journeymen and day laborers within sixty days, and by all others within four months after the indebtedness accrues.

Montana.—Statement must be filed in the office of the county recorder of the county wherein the building, etc., is situated, by the sub-contractor within forty-five days and by all others within ninety days, after the completion of the labor or of the furnishing of the materials.

Nebraska.—Statement must be filed in office of recorder of deeds of county wherein land is situated, by the contractor within four months, and by all others within sixty days after the completion of the work or of the furnishing of the materials. If the contract is in writing the same or a copy thereof must be filed with said statement.

Nevada.—Statement must be filed with the county recorder of the county wherein the property is situated, by the contractor within sixty days, and by all others within thirty days after the completion of the labor or of the furnishing of the materials, etc.

New Jersey.—Statement must be filed in office of the clerk of the county wherein building, etc., is situated within one year after the completion of the labor or of the furnishing of the material.

New Mexico.—Statement must be filed in office of county recorder of the county wherein property is situated, by the original contractor within ninety days, and by all others within sixty days after the completion of the labor or of the furnishing of the materials.

New York.—Statement must be filed in office of the clerk of the county wherein property is situated within ninety days after the completion of the labor or of the furnishing of materials. Within ten days after filing said statement a copy thereof must be served on the owner.

North Carolina.—If lien is against personal property the statement must be filed in the office of the nearest justice of the peace if the claim is in amount $200 or under, or in the office of the clerk of the superior court in the county where the labor or material have been furnished if the claim is in amount over $200, within twelve months after the completion of the labor or of the furnishing of the materials. If the lien is against real estate or interest therein the statement must be filed in the office of the clerk of the superior court within twelve months after the completion. All persons except the original contractor must give notice of their claim to the owner before his settlement with the original contractor. The contractor before being entitled to receive any part of contract price must furnish owner with itemized statement of the amount due those employed by him. If this is done the employés of the contractor can enforce their liens without filing the statement.

North Dakota.—Statement must be filed in the office of the clerk of the district court of the county or judicial district wherein the property is situated. By sub-contractors, to secure the lien as against purchasers and incumbrancers in good faith without notice, the statement must be filed within sixty days, and to secure it against the owner, within six months from the last day of the month in which the labor was done or the material furnished in case of claims against railroads, but, in case of claims against other property, from the date of the completion of the labor or of the furnishing of the materials. All others must file the statement within ninety days from the completion of the labor or of the furnishing of the materials.

Ohio.—Statement must be filed in office of the recorder of the county wherein the labor was performed or the materials or machinery were furnished, within four months after the completion of the labor or of the furnishing of the materials or machinery. All except the contractor must serve on the owner of the property an itemized statement of their claim within sixty days from the date of completion of the labor or of the furnishing of the materials or machinery.

Oregon.—Statement must be filed with clerk of the county wherein such building, etc., is situated by the original contractor within sixty days after the expiration of his contract and by all other persons within thirty days after the completion of the labor or of the furnishing of the materials.

Pennsylvania.—Statement must be filed in the office of the prothonotary of

the court of common pleas of the county in which building, etc., is situated. Sub-contractors, mechanics, and laborers must file the statement within sixty days and others within six months after the completion of the work or of the furnishing of materials. In case of lien on leasehold estates the statement must be filed within thirty days after the completion of the labor or of the furnishing of the materials. No person shall be entitled to the lien for altering, repairing, or adding to a building unless at the time of doing the work or of furnishing the materials he gives notice to the owner, etc., of his intention to file the lien. No material man can file a lien unless he gives notice to the owner of the amount and character of his claim within ten days of the time when the material was delivered.

Rhode Island.—Statement, which in Rhode Island is an account or demand, not sworn to, must be filed in the office of the town clerk, or in Providence, in the office of the recorder of deeds, by a contractor under a written contract, within four months after contract price becomes due and payable, by a contractor under a verbal contract, within six months after commencing to perform labor or to furnish materials, and by all other persons within four months after serving written notice on the owner. Said notice must be served within thirty days after commencing to perform labor or to furnish materials.

South Carolina.—Statement must be filed in the office of the register of mesne conveyances of the county wherein the property is situated within ninety days after the completion of the labor or of the furnishing of the materials. Lien for materials furnished will not attach unless notice is give the owner before the materials are furnished that the person about to furnish them intends to claim the lien.

South Dakota.—The same as North Dakota, above.

Tennessee.—No statement has to be filed by the original contractor. All others must file a statement with the register of the county and must give notice to the owner within thirty days after completion of the building.

Texas.—If there is a written contract, said contract, together with a statement not sworn to, must be filed. If no written contract, then a statement, which must be sworn to, must be filed. Said contract and statement, or statement alone, must be filed in the office of the clerk of the county in which the property is situated by the contractor within four months, and by all others, except a material man, within thirty days after the indebtedness accrues. The material man must file within ninety days after indebtedness accrues. All persons except the original contractor and the material man must give ten days' written notice to the owner before filing statement.

Utah.—Statement must be filed in the office of the recorder of the county wherein the property is situated by the contractor within sixty days, and by all other persons within forty days after the completion of the labor or the furnishing of the materials.

Vermont.—Statement, which is in Vermont a mere memorandum, not sworn to, must be filed in the office of the clerk of the town where the real estate is situated.

Virginia.—Statement must be filed in the office of the clerk of the county or corporation court of the county or corporation in which the building, etc., is situated, or in the office of the clerk of the chancery court of the city of Richmond, if the building, etc., is situated in said city, within thirty days after the completion of the building, etc. Any person except the original contractor must also give a written notice of the amount and character of his claim to the owner.

Washington.—Statement must be filed in the office of the auditor of the county wherein the property is wholly or partly situated within ninety days after the completion of the building, or after the completion of the labor or of the furnishing of the materials.

West Virginia.—Statement must be filed in the office of the clerk of the county court of the county wherein the building is situated or, in the case of claims for labor against corporations, of the county wherein the labor was performed or the principal office, works, real estate, or personal property is situated, within sixty days after the completion of the labor or of the furnishing of the materials. In case of claim against building all persons who claim the lien, other than the principal contractor, must serve a written notice of the claim upon the owner within thirty days after the completion of the labor or the furnishing of the materials.

Wisconsin.—Statement must be filed in the office of the clerk of the circuit court of the county wherein the land affected lies—within six months from the date of the last charge for performing labor or furnishing materials. All persons other

than the principal contractor must give written notice to the owner within sixty days after the completion of the labor or of the furnishing of the materials.

Wyoming.—Statement must be filed in the office of the register of deeds in the proper county, by the original contractor, within ninety days and not before sixty days, and by all others within fifty days after the indebtedness accrues.

LIMITATION FOR SUIT.

[See Notes, pp. 19, 20.]

In the States and Territories named below, suit must be brought within the time specified or the lien will be lost:

At the time of filing of the statement of the lien—in Delaware and New Jersey.

Within thirty days from receipt of notice from the owner requiring person claiming lien to commence the suit—In Iowa, North Dakota, and South Dakota.

Twenty days before next term of the supreme court which shall be held not less than twenty days after filing the statement of the lien—in Rhode Island.

Within sixty days after filing the statement of the lien—in Michigan.

Within ninety days after completion of the labor or of the furnishing of materials—in Maine, Massachusetts, and New Hampshire.

Within ninety days after filing the statement of the lien—in California, Idaho, and Missouri.

Within three months after filing the statement of the lien—in Vermont.

Within four months after filing the statement of the lien—in Arizona.

Within six months after completion of the labor or of the furnishing of materials—in South Carolina.

Within six months after the maturity of the entire indebtedness—in Alabama, Mississippi, and Virginia.

Within six months after filing the statement of the lien—in Arkansas, Colorado, Kentucky, Nevada, North Carolina, Oregon, West Virginia, and Wyoming.

Within eight months after filing the statement of the lien—in Washington.

Within twelve months after the maturity of the indebtedness—in Georgia.

Within twelve months after filing the statement of the lien—in Montana and Texas.

Within one year after the completion of the labor or of the furnishing of materials—in Minnesota and Tennessee.

Within one year from date of last charge for performing labor or furnishing materials—in Wisconsin.

Within one year after filing the statement of the lien—in the District of Columbia, Indiana, Kansas, New Mexico, New York, and Utah.

Within one year from date of recording claim—in Louisiana.

Within two years after filing the statement of the lien—in Connecticut, Illinois, and Nebraska.

Within five years after filing the statement of the lien—in Maryland and Pennsylvania.

Within six years from date when first labor was done or first material or machinery furnished—in Ohio.

NOTES.

In certain of the States and Territories the following limitations or modifications are operative:

Within sixty days after filing the statement of the lien:

Michigan: If statement was filed prior to the completion of the labor or of the furnishing of materials, the suit must be commenced within sixty days after said completion or after the maturity of the whole debt.

Within ninety days after the filing of the statement of the lien:

California: Or ninety days after the expiration of credit, if credit has been given. No agreement to give credit can continue lien in force more than two years after filing the statement of the lien.

Idaho: Same as California above.

Within three months after filing the statement of the lien:

Vermont: Except when the debt had not become due at date of filing of the statement, in which case suit must be commenced within three months after the debt does become due.

Within six months after filing the statement of the lien:

Arkansas: Applies to subcontractors only. By all others suit must be commenced within nine months after filing the statement of the lien.

Kentucky: Does not apply to McCracken County; in said county suit must be commenced within twelve months after filing the statement of the lien.

Nevada: Or ninety days after the expiration of credit, if credit has been given.

North Carolina: Except when debt has not become due within said six months, in which case suit must be commenced within thirty days after the debt does become due.

Within eight months after filing the statement of the lien:

Washington: Or eight months after the expiration of credit, if credit has been given. No agreement to give credit can continue the lien in force more than two years after the completion of the work or the giving of the credit.

Within one year after the completion of the labor or of the furnishing of materials:

Minnesota: Except in cases of persons performing labor by contract or by the day. In such cases suit must be commenced within four months after filing the statement of the lien.

Tennessee: Applies to contractors only. By all others suit must be commenced within ninety days from the date of the notice served on the owner.

Within one year from date of last charge for performing labor or furnishing materials:

Wisconsin: This applies unless within thirty days next preceding the expiration of the year an affidavit is filed with the clerk of the circuit court showing the interest in the property which the claimant has by virtue of his lien. In this case suit must be commenced within two years from date of the last charge.

Within one year after filing the statement of the lien:

Indiana: Or one year after the expiration of credit, if credit has been given.

Kansas: Or one year after the maturity of the promisory note, if one has been given.

New Mexico: Or six months after the expiration of credit, if credit has been given.

Within one year from the date of recording claim:

Louisiana: Applies only in case of liens of laborers and workmen.

Within five years after filing the statement of the lien:

Pennsylvania: Except in cases of liens on leaseholds. In such case suit must be commenced within three months after filing the statement of the lien.

ACTS GIVING LIENS ON PERSONAL PROPERTY.

OF THE LIEN.

[See notes, pp. 20, 21.]

In the States and Territories following, any person furnishing labor or materials for the repair of any article of personal property has a lien thereon (subject to certain conditions) and may retain possession of said article until reasonable charges are paid:

Arizona, California, Colorado, District of Columbia, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New Mexico, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Wisconsin, Wyoming.

NOTES.

In certain of the States and Territories the following limitations or modifications are operative:

California.—Lien also given for the construction and alteration of an article of personal property.

Colorado.—The same as California, above.

District of Columbia.—The same as California, above.

Florida.—Possession not to be kept, but lien to last for ninety days from date of delivery of said article of personal property to owner.

Georgia.—Lien also given for the construction of an article of personal property.

Idaho.—The same as California, above.

Indiana.—The same as California, above.

Kansas.—The same as California, above.

Louisiana.—Lien given only for labor, and extends to the labor done in the construction of an article of personal property.

Massachusetts.—Lien given to whoever labors on personal property.

Michigan.—Lien also given for the construction, alteration, and fitting of an article of personal property.
Minnesota.—The same as California, above.
Mississippi.—The same as Georgia, above.
New Jersey.—The same as Georgia, above.
New Mexico.—The same as Georgia, above.
North Carolina.—The same as California, above.
North Dakota.—The same as California, above.
South Dakota.—The same as California, above.
Tennessee.—The same as Georgia, above.
Utah.—The same as California, above.
Vermont.—The same as California, above.
Virginia.—Lien also given for the alteration of an article of personal property.
Wisconsin.—The same as California, above.
Wyoming.—The same as California, above.

OTHER LIEN ACTS.

(In addition to the so-called mechanic's lien acts, in the statutes of the various States and Territories, there exist numerous other acts giving liens. These liens are classified below.)

OF THE LIEN.

[See notes, pp. 22-27.]

In the States and Territories noted below a lien is given for work and labor performed or for materials furnished in the construction, repair, manufacture, production, etc., of—
Articles of any kind: Alabama.
Bricks: Maine.
Bridges: Nebraska.
Canals: Kentucky, Nebraska, Ohio, Virginia.
Crops: Alabama, Arkansas, Idaho, Louisiana, Mississippi, South Carolina, Tennessee, Washington.
Engines: California.
Forest products: California, Louisiana, Maine, Michigan, Minnesota, Nevada, New Hampshire, Oregon, Pennsylvania, Vermont, Washington, Wisconsin.
Granite: Maine.
Horse power: California.
Implements: Alabama.
Land: Arkansas, Ohio.
Lime and lime rock: Maine.
Machines: Alabama.
Manufacturing and mining companies: Virginia.
Mines: Indiana, Iowa, Michigan, North Dakota, South Dakota, Wisconsin, Wyoming.
Plank roads: Ohio.
Property: Arkansas, Georgia, Indiana, Ohio, Tennessee.
Public corporations: Iowa.
Public improvements: Kentucky.
Public money belonging to cities: New York.
Public structures: Ohio.
Railroads: Alabama, Arkansas, Illinois, Kentucky, Missouri, Nebraska, New Hampshire, New York, Ohio, Oregon, Tennessee, Texas, Virginia, Wisconsin.
Slate: Maine.
Tanks: New York.
Thrashing machines: California, North Dakota.
Transportation companies: Virginia.
Turnpikes: Kentucky, Ohio.
Vehicles: Alabama, California.
Vessels: Alabama, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin.
Viaducts: Nebraska.
Wells: New York, North Dakota, South Dakota, Wyoming.

NOTES.

The limitations or modifications operative in the States and Territories are as follows:

ARTICLES OF ANY KIND.

Alabama.—Lien given for the construction or repair, and the right to the same is confined to blacksmiths, wood workmen, or other mechanics.

BRICKS.

Maine.—Lien given for manufacturing and burning. Wood is the only material for the furnishing of which the lien is given.

BRIDGES.

Nebraska.—Lien given for the construction, repair, or equipment, and also attaches to the land on which situated, and to its erections, excavations, embankments, etc., thereon.

CANALS.

Kentucky.—Lien given for the construction and improvement, and for teams furnished, as well as for labor and materials.

Nebraska.—Lien given for the construction, repair, or equipment, and also attaches to the right of way, the land on which situated, and the erections, excavations, embankments, and bridges thereon.

Ohio.—Lien given for the construction of canals or any abutment, pier, culvert, foundation, embankment, or excavation, and attaches to all property of the canal on which work was done.

Virginia.—Lien also attaches to the franchises, gross earnings, and all real and personal property belonging to the company, and is given for services rendered as well as for labor and materials furnished.

CROPS.

Alabama.—Only laborers working on shares entitled.

Arkansas.—Lien given only for labor under a contract, written or verbal.

Idaho.—Lien given only for labor in tilling farm or lands, or in harvesting, cultivating, or tilling crops.

Louisiana.—Only overseers and laborers entitled for salaries and wages.

Mississippi.—Lien given only for labor in making, gathering, and preparing for sale or market.

South Carolina.—Only laborers entitled for wages, share of crop, or other valuable consideration.

Tennessee.—Lien given only for labor in cultivating the soil.

Washington.—Lien given only for labor in tilling, sowing, housing, or harvesting.

ENGINES.

California.—Lien given only for labor, and attaches to appurtenances.

FOREST PRODUCTS.

California.—Lien is given on logs and lumber, and only for labor in cutting, hauling, rafting, and driving the same, and in transporting and getting them out of camp.

Louisiana.—Lien given only for labor in manufacturing lumber, shingles, and similar material, in deadening, filling, cutting, hauling, barking, driving, running, rafting, or booming logs, timber, and staves, and for cooking for those engaged as above.

Maine.—Lien given only for labor (personal services and services of team) in cutting, peeling, or yarding hemlock bark; in cutting cord wood; in cutting, hauling, rafting, or driving logs and lumber; in manufacturing last blocks, and in cutting or furnishing wood for same; and in making railroad ties and ship knees. Lien is also given for labor in cooking for persons engaged as above.

Michigan.—Lien given only for labor in manufacturing lumber and shingles, and in cutting, skidding, hauling, scaling, banking, driving, running, rafting, or booming logs, cedar posts, cord wood, pulp wood, hop poles, hoop poles, telegraph poles, railroad ties, bark, shingles, bolts, stave bolts, staves, veneering, and wood, or other forest products. Cooks are expressly entitled to the above lien.

Minnesota.—Lien given only for labor or services in cutting, falling, hauling, driving, running, rafting, booming, cribbing, or towing logs or timber on the St. Croix Lake or river or their tributaries, and for manual labor in cutting,

banking, driving, rafting, cribbing, or towing logs, timber, and railroad ties. Only laborers for hire are entitled to the lien.

Nevada.—Lien given only for labor in cutting or cording wood or timber.

New Hampshire.—Lien given only for a claim for labor or supplies furnished, in amount $15 or more, in rafting, cutting, hauling, or drawing wood, bark, lumber, or logs, and in cooking for those so engaged or in hauling supplies.

Oregon.—Lien given only for labor in cutting and manufacturing logs and timber.

Pennsylvania.—Lien given only for labor in cutting, peeling, skidding, and hauling sawed logs, squared timber, and lumber in Centre County.

Vermont.—Lien given only for labor in cutting and drawing logs.

Washington.—Lien given only for labor upon or in obtaining or securing spars, piles, or other timber, and on lumber for making saw logs into same.

Wisconsin.—Lien given only for labor in cutting, felling, hauling, running, driving, rafting, booming, cribbing, towing, sawing, peeling, or manufacturing into lumber, logs, timber, cord wood, railroad ties, tan and other barks, piling, telegraph poles, fence posts, paving timber, stave bolts, and staves. Lien is also given for labor in cooking for those engaged as above.

GRANITE.

Maine.—Lien given only for labor in quarrying, cutting, and dressing.

HORSE POWER.

California.—Lien given only for labor, and attaches to appurtenances.

IMPLEMENTS.

Alabama.—Lien given for the construction or repair, and the right to the same is confined to blacksmiths, woodworkmen, or other mechanics.

LAND.

Arkansas.—Lien given only for labor under a contract, written or verbal.

Ohio.—Lien is given on the land adjacent to streets, turnpikes, roads, sidewalks, ways, drains, ditches, or sewers for altering or repairing the same under contract with owner of the land.

LIME AND LIME ROCK.

Maine.—Lien is given for digging, hauling, and furnishing lime rock.

MACHINES.

Alabama.—Lien given for the construction or repair, and the right to the same is confined to blacksmiths, woodworkmen, or other mechanics.

MANUFACTURING AND MINING COMPANIES.

Virginia.—Lien also attaches to the franchises, gross earnings, and all real and personal property belonging to the company, and is given for services rendered as well as for labor and materials furnished.

MINES.

Indiana.—Lien given only for labor performed in a coal mine, within two months of the attachment of the lien, and attaches to machinery, fixtures, scales, coal bank cars, and everything used about the mine.

Iowa.—Lien given to miners and laborers only for labor in opening and developing coal mines, sinking shafts, constructing slopes and drifts, mining coal, etc., and attaches to all property of persons, firms, and corporations owning, constructing, or operating a coal mine, to the real estate, buildings, engines, cars, mules, scales, and all other personal property.

Michigan.—Lien attaches to all property, real or personal, of corporations for mining, smelting, or manufacturing ores of all kinds in the Upper Peninsula of the State, and is given only for labor.

North Dakota.—The same as Indiana above.

South Dakota.—The lien attaches to lodes, leads, ledges, mines, deposits, banks, or tunnels of gold, cinnabar, or copper; to coal banks or mines, and to iron and lead mines, and is given only for furnishing labor, timber, rope, nails, or other materials for timbering, any materials for erecting any windlass, whim or hoisting apparatus or machinery, or any materials for car tracks, cars, tunnels, drifts, or openings.

Wisconsin.—Lien attaches to all the personal estate, including ores and products, to the machinery, and to the real estate connected with the business of per-

sons or corporations engaged in or organized for mining, smelting, or manufacturing iron, copper, silver, or other ores or minerals. Lien is given only for labor or services.

Wyoming.—The lien attaches to ledges and lodes of quartz bearing gold, silver, cinnabar, or copper; to coal banks or mines, and to iron or other mines, and is given only for furnishing labor, rope, nails, lumber, or other materials for timbering shafts or levels, or for erecting a windlass, whim, or other hoisting apparatus.

PLANK ROADS.

Ohio.—Lien given only for labor (common or mechanical) and supplies furnished in the construction of the plank road or any abutment, culvert, foundation, embankment, or excavation connected with the same, and attaches to all the property belonging to the company.

PROPERTY.

Arkansas.—Lien given only for labor under a contract, written or verbal.

Georgia.—Lien attaches to all property of employers and is given only to laborers for labor.

Indiana.—Lien attaches to the corporate property of corporations and to their earnings, and is given only to employés for labor.

Ohio.—Lien attaches to real property only, and is given only to laborers (agricultural, mining, manufacturing, or manual) for wages.

Tennessee.—Lien attaches to all property, real and personal, or corporations or firms, and is given only for labor and services, and wages or compensation in arrears, and unpaid for three months.

PUBLIC CORPORATIONS.

Iowa.—Lien is given only to mechanics, laborers, and others, acting as subcontractors, for the construction of a bridge, public building, or other improvement, being constructed by a public corporation, and not belonging to the State.

PUBLIC IMPROVEMENTS.

Kentucky.—Lien given for the construction and improvement, and for teams furnished, as well as for labor and materials.

PUBLIC MONEY BELONGING TO CITIES.

New York.—Lien attaches to public money in control of, or due, or to become due, to a city, and is given for labor or materials furnished in performing any contract with a city.

PUBLIC STRUCTURES.

Ohio.—Lien is given only for labor (common or mechanical) and supplies furnished in the construction, and attaches to all property connected with the public structure on which work was done.

RAILROADS.

Alabama.—Lien is given only for work and labor, and attaches to all the property, rights, effects, and credits of the railroad company.

Arkansas.—Lien is given for building, equipping, and operating the railroad, and attaches to the roadbed, buildings, equipment, income, franchises, and all appurtenances of the same. It is given for fixtures and machinery furnished, as well as for labor and materials.

Illinois.—Lien is given for the construction, maintenance, operation, or repair of the railroad, and attaches to all the real, personal, and mixed property of the same. It is given for fuel, ties, supplies, and any necessary article or thing furnished, as well as for labor or materials.

Kentucky.—Lien given for the construction and improvement and for teams furnished, as well as for labor and materials.

Missouri.—Lien is given for the construction or improvement of the railroad, its roadbed, station houses, rolling stock, depots, bridges, or culverts, and attaches to the roadbed, station houses, depots, bridges, rolling stock, real estate, and improvements of the railroad. It is given for ties, fuel, and bridges furnished, as well as for labor and materials.

Nebraska.—Lien is given for the construction, repair, or equipment of the railroad, and attaches to the erections, excavations, embankments, bridges, roadbed, rolling stock, right of way, and the land on which situated.

New Hampshire.—Lien is given for grading, building masonry, bridging or

track-laying, and extends to the land on which the railroad is constructed. To entitle to lien the claim must amount to $15 or more.

New York.—The lien is given only for labor performed for a railroad corporation, and attaches to the interest of the railroad in the land on which it is situated, and the tracks, rolling stock, and appurtenances of the same.

Ohio.—Lien is given for the construction of railroads, depots, buildings, water tanks, or any part of a railroad; for boarding furnished to employés on order of a contractor or subcontractor; for grain, hay, tools, implements, or merchandise furnished, and for repairing tools or implements on order of a contractor or subcontractor. By another act a lien on a railroad is given for labor (common or mechanical) and supplies furnished in constructing railroads, abutments, culverts, foundations, side tracks, embankments, excavations, and for protecting, ballasting, delivering, or placing ties, and for track-laying. This lien attaches to all the property of the railroad on which work was done.

Oregon.—Lien is given for ties, supplies, or other thing furnished, as well as for labor or materials, and attaches to all the property of a railroad, real, personal or mixed. Original contractors not entitled.

Tennessee.—Lien is given for grading roadway, constructing and repairing culverts and bridges, laying tracks, erecting depots, platforms, wood or water stations, section houses, machine shops, or other buildings, for furnishing crossties, for delivering material for any of the above purposes, and for engineering or superintendence.

Texas.—Lien given only for labor, with tools, teams, or otherwise, in constructing, operating, or repairing a railroad, locomotive, car, or other equipment, and attaches to the equipments of the railroad.

Virginia.—Lien is given for railroad iron, engines, cars, fuel, and other supplies furnished, as well as for labor and materials, and attaches to the franchises, gross earnings, and all real and personal property of the railroad.

Wisconsin.—Lien given only for wages of laborers due from contractor or subcontractor, for manual or team labor, and attaches to all property of the railroad corporation.

SLATE.

Maine.—Lien given only for wages of labor in mining, quarrying, or manufacturing.

TANKS.

New York.—Lien given for erecting, building, or furnishing a tank or other receptacle for oil, gas, or water, and attaches also to the owner's interest in the lot, premises, parcel, or farm of land upon which the same is situated.

THRASHING MACHINES.

California.—Lien given only for labor, and attaches to appurtenances.

North Dakota.—Lien is given for machinery or fixtures furnished as well as for labor and materials.

TRANSPORTATION COMPANIES.

Virginia.—Lien also attaches to the franchises, gross earnings, and all real and personal property belonging to the company, and is given for services rendered as well as for labor and materials furnished.

TURNPIKES.

Kentucky.—Lien given for the construction and improvement, and for teams furnished as well as for labor and materials.

Ohio.—Lien given only for labor (common or mechanical) and supplies furnished in the construction of the turnpike or any abutment, culvert, foundation, embankment, or excavation connected with the same, and attaches to all the property belonging to the company.

VEHICLES.

Alabama.—Lien given for the construction or repair, and the same is confined to blacksmiths, woodworkmen, or other mechanics.

California.—Lien given only for labor, and attaches to appurtenances.

VESSELS.

Alabama.—Lien is given on ships, steamboats, or other watercraft for labor or materials furnished in building, repairing, fitting, furnishing, supplying, and victualing, and for wages, for services on board, of masters, laborers, stevedores, and ship-keepers.

California.—Lien is given on ship and its freightage for wages of labor of mate and seamen, and on steamers, vessels, and boats for services on board and for labor or material furnished in the construction, repair, and equipment of the same.

Connecticut.—Lien is given on vessels for the construction or repair and also attaches to the appurtenances of the vessel. Claim must exceed $25 to entitle to lien.

Florida.—Lien is given on ships or other water craft only for labor in loading and unloading, and also attaches to the tackle, apparel, and furniture.

Georgia.—Lien is given on steamboats or other water craft only for wages or demands for personal services and for wood or provisions furnished.

Illinois.—Lien is given on sail vessels, steamboats, steam dredges, tugboats, scows, canalboats, barges, lighters, and other water craft of above five tons burden for work or services done on board, for labor or material furnished in building, repairing, fitting, or furnishing, and for labor at pumping out or raising when sunk or disabled. The lien also attaches to the tackle and furniture.

Indiana.—Lien is given on boats, vessels, water craft, wharfboats, and floating warehouses for labor, materials, and supplies furnished, in building, repairing, fitting, furnishing, or equipping, and also attaches to the apparel, tackle, furniture, and appendages, including barges and lighters belonging to the owners of the vessels.

Kentucky.—Lien is given on steamships, brigs, schooners, sloops, and model barges for wages of officers (except the captain) and hands and for labor, materials, supplies, and provisions furnished in building, repairing, fitting, and furnishing. Lien also attaches to engines, tackle, furniture, and apparel.

Louisiana.—Lien is given on ships and other vessels for charges for pilotage, towage, wharfage, and anchorage, for services on board in keeping ship, and for wages of the captain and crew; for labor and material furnished in the construction or repair of the ship, etc., and for supplies, armament, or equipment furnished.

Maine.—Lien is given on vessels for labor or materials furnished in building.

Maryland.—Lien is given on vessels and boats for labor or materials furnished in building, repairing, or equipping.

Massachusetts.—Lien is given on vessels for labor or materials furnished in constructing, launching, or repairing, and in constructing launching ways, and for furnishing provisions, stores, or other articles. Lien also attaches to the tackle, apparel, and furniture.

Michigan.—Lien is given on vessels of above five tons burden for labor or services on board (all employés except master of vessel entitled), for labor in loading and unloading, and in pumping out or raising, and for labor or materials furnished in building, repairing, fitting out, furnishing, or equipping.

Mississippi.—Lien is given on steamboats, ships, and other water craft for wages of those employed on board, and for labor or materials furnished in building, repairing, fitting, furnishing, supplying, or victualing.

Missouri.—Lien is given on boats, vessels, canalboats, woodboats, barges, and rafts for two months' wages of persons employed on board, and for labor or materials furnished in building, repairing, getting out, furnishing, or equipping.

Montana.—Lien is given on boats and rafts for wages for services on board, for supplies furnished and for labor and materials furnished in building, repairing, fitting out, furnishing, or equipping. Lien also attaches to the apparel, tackle, furniture, and appendages, including barges and lighters if belonging to owner of boat.

New Hampshire.—Lien is given on vessels for building, repairing, fitting, or furnishing.

New Jersey.—Lien is given on vessels and ships for supplies, provisions, and stores furnished, for labor in towing or taking care of, and for labor or materials furnished in building, repairing, fitting, furnishing, or equipping. Lien also attaches to the tackle, apparel, and furniture.

New York.—Lien is given on ships and vessels for debt of $25 or more for towing or piloting, for labor in loading or unloading, and for labor or materials furnished in building, repairing, fitting, furnishing, or equipping. Lien also attaches to tackle, apparel, and furniture.

North Dakota.—Lien is given on ship and freightage for wages of mate and seamen.

Ohio.—Lien is given on steamboats or other watercraft for labor or materials furnished in building, repairing, furnishing, or equipping.

Oregon.—Lien is given on vessels and boats for wages for services on board and for labor or materials furnished in constructing, repairing, fitting, furnishing, equipping, and launching.

Pennsylvania.—Lien is given on ships, steamboats, and vessels for labor, materials, engines, or boilers furnished in building, repairing, fitting, furnishing, or equipping. Lien also attaches to the tackle, apparel, and furniture. By another act a lien is given on ships and vessels navigating the Monongahela, Ohio, and Allegheny rivers for wages of all employed on board, including masters and clerks, and for labor and materials furnished in building, repairing, fitting, furnishing, or equipping.

South Carolina.—Lien is given on ships and vessels for provisions, stores, or articles furnished for use of vessels, and for labor and materials in constructing, launching, or repairing, and in constructing launching ways. Lien also attaches to tackle and furniture.

Tennessee.—Lien is given on steam and keelboats for wages of hands and for labor or materials furnished in building, repairing, fitting, furnishing, or equipping. Lien also attaches to tackle and furniture.

Texas.—Lien is given on domestic vessels for labor, materials, or supplies furnished, and also attaches to tackle, apparel, furniture, and freight money.

Vermont.—Lien is given on ships, vessels, and steamboats for labor or materials furnished in building, repairing, fitting, and furnishing.

Virginia.—Lien is given on steamboats or other vessels, rafts, and river crafts found within the State for salvage and pilotage and for labor or materials furnished. Lien also attaches to the tackle, apparel, furniture, and appurtenances.

Washington.—Lien is given on steamers, vessels, or boats for services on board and for labor, materials, or supplies furnished. Lien also attaches to the tackle, apparel, and furniture.

West Virginia.—Lien is given on registered vessels propelled by steam for labor, materials, goods, wares, and merchandise furnished. Citizens of the State alone are entitled.

Wisconsin.—Lien is given on ships, boats, and vessels navigating waters of the State for dues for wharfage, towage, or anchorage, for work done or services rendered on board by all employés (except masters or persons employed on board to receive freight or passage money), and for labor or materials furnished in building, repairing, furnishing, or equipping. Lien also attaches to the tackle, apparel, and furniture.

VIADUCTS.

Nebraska.—Lien is given for the construction or repair and also attaches to their excavations, embankments, etc.

WELLS.

New York.—Lien is given on any well sunk or drilled for oil or gas or other volatile or mineral substance, and on any water well and appurtenances sunk or drilled for the purpose of drilling or operating any such oil or gas well, for sinking, drilling, or completing such well.

North Dakota.—Lien is given on oil wells or springs for labor or materials in opening and operating.

South Dakota.—The same as North Dakota, above.

Wyoming.—Lien is given on oil wells or springs for boring or drilling or transporting or hauling the products.

REFERENCE TO THE LAWS FROM WHICH THE PRECEDING DIGEST WAS COMPILED.

Alabama.—Code of 1886: Sections 3018 to 3027, inclusive, and 3040 to 3079, inclusive.

Acts of 1888–'89: Act No. 48.

Arizona.—Revised statutes of 1887: Sections 2258 to 2293, inclusive.

Arkansas.—Digest of the statutes (1884): Sections 4402 to 4448, inclusive.

Acts of 1887: Acts Nos. 70 and 78.

California.—Deering's Codes and Statutes, edition of 1885: Vol. I.—The constitution of 1879, article 20, section 15. Vol. II.—Civil code, sections 3051 to 3056, inclusive. Vol. III.—Code of civil procedure, sections 813, 825, and 1183 to 1203, inclusive; also on page 460 the act of March 30, 1878, and the act of March 12, 1885.

Statutes of 1887: Chapter 137.

Colorado.—General statutes of 1883: Sections 2120, 2131 to 2141, inclusive, and 2148 to 2151, inclusive.

Session laws of 1889: Page 232, act of March 26, 1889, and page 247, act of April 18, 1889.

Connecticut.—General statutes of 1888: Sections 3018 to 3042, inclusive.

Delaware.—Laws of 1879: Chapter 145.
Laws of 1889: Chapter 679.
District of Columbia.—United States Statutes, session acts of 1883–'84: Chapter 143.
Florida.—Constitution of 1885: Article 16, section 22.
McClellan's Digest of 1881: Chapter 143.
Acts of 1885: Chapter 3612.
Acts of 1887: Chapter 3747.
Georgia.—Code of 1882: Sections 1972 to 1996, inclusive.
Idaho.—Constitution of 1879: Article 13, section 6.
Revised Statutes of 1887: Sections 3445, 3446, 5125 to 5136, inclusive, and 5140 added by act of January 10, 1889. Page 1, General Laws of 1888–'89.
Illinois.—Annotated Statutes of 1885: Chapter 12, paragraphs 1, 3, 14, 30, and 46. Chapter 82, paragraphs 1, 2, 4, 28, 29, 30, 32, 35, 47, and 52 to 59, inclusive.
Laws of 1887: Act of May 31, 1887, p. 219, and act of June 16, 1887, p. 220.
Indiana.—Revised Statutes of 1881: Sections 5277 to 5305, inclusive, and 5471.
Elliott's Supplement of 1889: Sections 1688 to 1710, inclusive.
Iowa.—McClain's Annotated Statutes of 1880, edition of 1884: Title 14, chapter 8.
Laws of 1884: Chapter 179, sections 1 and 2.
Laws of 1890: Chapter 47, section 1.
Kansas.—Compiled laws of 1885: Sections 3258 and 3263 to 3265, inclusive.
Laws of 1889: Chapter 168.
Kentucky.—General Statutes of 1881: Chapter 70.
Acts of 1887–'88: Chapters 632 and 1271.
Acts of 1889–'90: Chapter 1334.
Louisiana.—Constitution of 1879: Article 175.
Revised civil code of 1870, edition of 1887: Articles 2770 to 2777, inclusive, 3186, 3189, 3217, 3237, 3249, 3252, 3272, 3273, 3528, and 3534.
Revised Laws of 1870, second edition: Sections 2873, 2876, 2877, and 2878.
Acts of 1880: Chapter 134, sections 1 to 4, inclusive.
Acts of 1888: Chapter 145, section 1, and chapter 154, section 2.
Acts of 1890: Chapter 10, section 1.
Maine.—Revised Statutes of 1883: Chapter 91.
Acts of 1885: Chapter 280.
Acts of 1887: Chapters 21, 60, and 70.
Acts of 1889: Chapters 183, 267, and 287.
Maryland.—Code of Public General Laws: Article 63.
Laws of 1890: Chapter 107.
Massachusetts.—Puplic Statutes of 1882: Chapters 191 and 192.
Acts of 1888: Chapter 344.
Michigan.—Howell's Annotated Statutes of 1882: Sections 8236, 8237, 8246, 8279, and 8399 to 8408, inclusive.
Acts of 1887: Act No. 229, sections 1 to 9, inclusive, and act No. 270, sections 1 to 5, inclusive, 7, and 10.
Acts of 1889: Acts No. 175 and No. 277.
Minnesota.—General Statutes of 1878: Chapter 32, title 6.
General Laws of 1885: Chapter 86.
General Laws of 1887: Chapter 170.
General Laws of 1889: Chapters 199 and 200.
Mississippi.—Revised Code of 1880: Sections 1360 to 1364, inclusive, 1373, 1374, 1378 to 1384, inclusive, 1393, 1395, and 1396.
Laws of 1882: Chapter 88.
Missouri.—Revised Statutes of 1889: Sections 770, 771, 812, 813, 6705 to 6711, inclusive, 6720, 6727, 6729, 6741 to 6746, inclusive, and 6756 to 6758 inclusive.
Montana.—Compiled Statutes of 1887: First Division, "Code of Civil Procedure," sections 206 to 212, inclusive; Fifth Division, "General Laws," sections 1370 to 1377, inclusive.
Laws of 1887, extra session: Page 71, act of September 14, 1887.
Nebraska.—Compiled Statutes of 1887: Chapter 54, article 1, sections 1 to 5, inclusive; and article 2, sections 1, 2, and 3.
Nevada.—General Statutes of 1885: Sections 3808 to 3825, inclusive.
New Hampshire.—General Laws of 1878: Chapter 139.
Laws of 1879: Chapter 57.
New Jersey.—Revision of 1877: Page 586, sections 1 and 2; page 668, sections 1 to 13, inclusive, and page 1352, section 1.
Supplement of 1886: Page 292, section 8; page 426, section 1; page 427, section 2, and page 456, sections 3 and 4.

Acts of 1888: Chapter 285.
Acts of 1889: Chapter 274, section 1.
Acts of 1890: Chapter 292.
New Mexico.—Compiled Laws of 1884: Title 24, chapter 1.
New York.—Revised Statutes of 1881: Page 2404, sections 1 to 9, inclusive; page 2410, section 2; page 2436, sections 1 to 12, inclusive; page 2439, sections 1 to 6, inclusive; page 2440, sections 1 to 12, inclusive.
Laws of 1882: Chapter 410 (the New York City consolidation act), sections 1824 to 1835, inclusive.
Laws of 1885: Chapter 216 and Chapter 342, sections 1 to 9, inclusive, 15 and 20.
Laws of 1887: Chapter 420.
Laws of 1888: Chapter 316.
North Dakota.—Revised Codes of 1883 (Territorial): Code of Civil Procedure, sections 654 to 671, inclusive; Civil Code, sections 1814a, 1814b, 1814c, 1814e, and 1814h.
Laws of 1887 (Territorial): Chapter 99.
Laws of 1890 (State): Chapter 88, sections 1 to 5, inclusive.
Ohio.—Revised Statutes of 1886: Sections 3184 (Vol. I, R. S.), 3184a (enacted by act of March 27, 1889), 3185 (Vol. I, R. S.), 3186 (Vol. I, R. S.), 3187 (Vol. I, R. S.), 3193 (Vol. I, R. S.), 3194 (Vol. I, R. S.), 3203 Vol. I, R. S.), 3206 (Vol. III, R. S.), 3206a (Vol. III, R. S.), 3306b (Vol. III, R. S.), 3207 (Vol. III, R. S.), 3208 (Vol. III, R. S.), 3209 (Vol. III, R. S.), 3210 (Vol. III, R. S.), 3211 (Vol. III, R. S.), 5580 (Vol. III. R. S.), and 5881 (Vol. II, R. S.); also act of April 3, 1884 (Vol. III, R. S., p. 212).
Vol. 84, Laws of Ohio of 1887: Page 47, act of March 5, 1887.
Vol. 86, Laws of Ohio of 1889: Page 120, sections 1 and 2; page 143, act of March 27, 1889; page 373, act of April 15, 1889.
Oregon.—Hill's Annotated Statutes of 1887: Sections 3669 to 3706, inclusive.
Laws of 1889: Page 75, sections 1 to 5, inclusive.
Pennsylvania.—Brightley's Purdon's Digest, edition of 1885: Page 124, sections 1 to 4, inclusive, 7, 8, 13, 20, and 22; page 1107, section 56; page 1157, sections 1, 2, 10 to 20, inclusive, 41, 42, 46, 53, 55, 61, and 70.
Laws of 1887: Chapter 273, sections 1 to 5, inclusive, and chapter 275.
Rhode Island.—Public Statutes of 1882: Chapter 177.
Laws of 1888: Chapter 696.
South Carolina.—General Statutes of 1882: Sections 1667, 2350 to 2362, inclusive, 2381, and 2389 to 2403, inclusive.
Acts of 1884: Act No. 505.
Acts of 1885: Act No. 77, section 1.
South Dakota.—Revised Codes of 1883 (Territorial): Code of Civil Procedure, sections 654 to 671, inclusive; Civil Code, sections 1814a, 1814b, 1814c, 1814e, and 1814h.
Laws of 1887 (Territorial): Chapter 99.
Tennessee.—Code of 1884: Sections 2739 to 2751, inclusive, and 2763 to 2782, inclusive.
Acts of 1885: Chapter 8, section 2.
Acts of 1889: Chapter 12, section 1, and chapter 103.
Texas.—Constitution of 1875: Article 16, section 37.
Revised Statutes of 1879: Articles 3180 to 3185, inclusive.
Laws of 1879 (Regular session): Chapter 12, sections 1 to 4, inclusive.
Laws of 1887: Chapter 25.
Laws of 1889: Chapter 98, sections 1 to 17, inclusive.
Utah.—Compiled laws of 1888: Vol. II, section 2793.
Laws of 1890: Chapter 30 and chapter 56, section 3.
Vermont.—Revised laws of 1880: Sections 1981 to 1991, inclusive.
Acts of 1888: Act No. 133, sections 1, 2, and 3.
Virginia.—Code of 1887: Sections 2475 to 2488, inclusive, and 2963.
Washington.—Code of 1881 (Territorial): Sections 1939 to 1950, inclusive, 1957 to 1970, inclusive: 1975 and 1976.
Acts of 1883: Page 45, act of November 28, 1883.
Acts of 1886: Page 114, act of January 21, 1886.
Acts of 1887-'88: Chapter 76.
West Virginia.—Code, edition of 1887: Chapter 75, sections 1 to 14, inclusive.
Wisconsin.—Revised Statutes of 1887: Sections 1815, 3314 to 3320, inclusive, 3343, 3347, 3348, 3350, 3351, and 3354.
Laws of 1881: Chapters 76, 287, and 318.
Laws of 1882: Chapter 84.
Laws of 1889: Chapters 275, 333, 399, 413, and 448.

Wyoming.—Revised Statutes of 1887: Sections 1469, 1486 to 1494, inclusive, 1502, 1506, 1517 to 1523, inclusive, 1531, 1536, and 1540.
Laws of 1888: Chapter 26.

APPRENTICE LAWS.

NEW YORK REVISED STATUTES OF 1881.

APPRENTICES.

[Page 2348.]

SECTION 1. Every male infant, and every unmarried female under the age of eighteen years, with the consent of the persons or officers hereinafter mentioned, may of his or her own free will, bind himself or herself, in writing, to serve as clerk, apprentice or servant in any profession, trade or employment; if a male, until the age of twenty-one years, and if a female, until the age of eighteen years, or for any shorter time; and such binding shall be as valid and effectual, as if such infant was of full age at the time of making such engagement.

SECTION 2. Such consent shall be given—

(1) By the father of the infant. If he be dead, or be not in a legal capacity to give his consent, or if he shall have abandoned and neglected to provide for his family, and such fact be certified by a justice of the peace of the town, and indorsed on the indenture, then,

(2) By the mother. If the mother be dead, or be not in a legal capacity to give such consent, or refuse, then,

(3) By the guardian of such infant duly appointed. If such infant have no parent living, or none in a legal capacity to give consent, and there be no guardian, then,

(4) By the overseers of the poor, or any two justices of the peace of the town, or any judge of the county courts of the county, where such infant shall reside.

SECTION 3. Such consent shall be signified in writing, by the person entitled to give the same, by a certificate at the end of, or endorsed upon, the indentures, and not otherwise.

SECTION 4. The executors of any last will of a father, who shall be directed in such will to bring up his child to some trade or calling, may bind such child to service, as a clerk or apprentice, in like manner as the father might have done, if living.

SECTION 5. The county superintendents of the poor, in the several counties, may bind out any child, under the ages above specified, who shall be sent to any county poorhouse, or who is or shall become chargeable, or whose parent or parents are or shall become chargeable, to such county, to be clerks, apprentices or servants, until such child, if a male, shall be twenty-one years old, or, if a female, shall be eighteeen years old; which binding shall be as effectual, as if such child had bound himself with the consent of his father.

SECTION 6. The overseers of the poor of any town or city, may, in like manner, bind out any such child, who, or whose parent or parents, shall become chargeable to such town or city, or who shall have been sent to any poorhouse, other than a county poorhouse, with the consent in writing, of any two justices of the peace of the town, or of the mayor, recorder and aldermen of any city, or of any two of them.

SECTION 7. No child of an Indian woman shall be bound as an apprentice, under the provisions of this title, except in the presence and with the consent of a justice of the peace; a certificate of which consent signed by the justice, shall be filed with the clerk of the town in which the indenture of apprenticeship shall be executed.

SECTION 8. The age of every infant so bound shall be inserted in the indentures, and shall be taken to be the true age, without further proof thereof; and whenever any public officers are authorized to execute any indentures, or their consent is required to the validity of the same, it shall be their duty to inform themselves fully, of the infant's age.

SECTION 9. Every sum of money paid or agreed for, with, or in relation to the binding out of any clerk or apprentice, shall be inserted in the indentures.

SECTION 10. Whenever any child shall be bound out by the county superintendents of the poor of any county, or by the overseers of the poor of any city or town, the indentures shall contain an agreement on the part of the person to whom such child shall be bound, that he will cause such child to be instructed to read and write, and if a male, will cause him to be instructed in the general rules of arithmetic; and every such indenture shall also contain an agreement, that the master will give to such apprentice, at the expiration of his or her service a new Bible.

SECTION 11. The counterpart of any indentures executed by the county superintendents of the poor, shall be by them deposited in the office of the clerk of the county; and the counterpart of such indentures executed by any overseers of the poor, shall be by them deposited in the office of the clerk of their city or town.

SECTION 12. Any person coming from any foreign country beyond sea, may bind himself to service, if an infant, until he attain the age of twenty-one years, or for a shorter term. Such contract for service, if made for the purpose of raising money to pay his passage, or for the payment of such passage, may be for the term of one year, although such term may extend beyond the time when such person will be of full age; but it shall in no case be for a longer term.

SECTION 13. No contract made under the last section, shall bind the servant, unless it be acknowledged by him before some mayor, recorder, or alderman of a city, or before some justice of the peace; nor, unless a certificate of such acknowledgment, and that the same was made freely, on a private examination, be indorsed upon such contract.

SECTION 14. The contracts specified in the last two sections, may be assigned by the master, by an instrument in writing indorsed thereon, executed in the presence of two witnesses; if such assignment be approved of, in writing, by any magistrate mentioned in the preceding section, and such approbation shall be also indorsed on the contract.

(NOTE.—See section 410 of chapter 410 of the acts of 1882, the New York consolidation act.)

APPRENTICES AND EMPLOYERS.

(Page 2350.)

SECTION 1. * * * It shall not be lawful for any person or persons in this State to employ or take as an apprentice any minor person to learn the art or mystery of any trade or craft without first having obtained the consent of such person's legal guardian or guardians; nor shall any minor person be taken as an apprentice aforesaid unless an agreement or indenture be drawn up in writing, * * * and duly executed under seal by the person or persons employing said apprentice, and also by the parents or parent, if any be living, or by the guardian or guardians of said apprentice, and likewise by said minor person so becoming an apprentice.

SECTION 2. Said agreement or indenture * * * shall contain the following covenants and provisions:

(1) That said minor person shall be bound to serve his employer or employers for a term of not less than three nor more than five years.

(2) That said minor person so indentured shall not leave his said employer or employers during the term for which he shall be indentured, and if any said apprentice so indentured as aforesaid shall leave his said employer or employers, except as hereinafter provided, the said employer or employers may compel the return of the said apprentice under the penalties of this act.

(3) That said employer or employers shall covenant and agree in said indenture to provide at all times during the continuance of the same suitable and proper board, lodging, and medical attendance for said apprentice, and said employer or employers shall also further covenant and agree to teach or cause to be carefully and skillfully taught to his or their said apprentice every branch of his or their business to which said apprentice may be indentured, and said employer or employers shall be further bound, at the expiration of said apprenticeship, to give to said apprentice a certificate in writing, stating that said apprentice has served a full term of apprenticeship of not less than three or more than five years, at such trade or craft as may be specified in said indenture.

SECTION 3. (*a*) Any person or persons taking an apprentice without complying with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof before any magistrate or court having jurisdiction, held in the county in which the business of said employer or employers may be conducted, shall be subject to a fine of not less than five hundred dollars, * * *. It shall be the duty of the factory inspector and the deputy factory inspectors to see to it that the duties and obligations of employers to their apprentices are observed and enforced, to enforce this act, and to prosecute such employers for a failure to perform such duties and obligations, or any violation of this act.

SECTION 4. Any and all indentures made under and in pursuance of the provisions of this act shall not be canceled or annulled before the expiration of the term of said indentures, except in case of death: or by the order of or judgment

a As amended by chapter 437, acts of 1888.

of the county or supreme court of this State for good cause, and any apprentice so indentured who shall leave his employer or employers without his or their consent or without sufficient cause, and shall refuse to return, may be arrested upon the complaint of said employer or employers, and taken before any magistrate having jurisdiction of misdemeanors, who may cancel said indentures, and on conviction commit said apprentice to the house of correction, house of refuge, or county jail, in and for said county, for such length of time as such magistrate may deem just, or until said apprentice shall have attained the age of twenty-one years, and in case said apprentice so indentured shall wilfully neglect or refuse to perform his portion of the contract as specified in said indentures, then said indenture may be canceled in the manner aforesaid, and said apprentice so violating said indentures shall forfeit all back pay and all claims against said employer or employers, and said indentures shall be canceled.

SECTION 5. Should any employer or employers neglect or refuse to teach, or cause to be taught to said apprentice the art or mystery of the trade or craft to which said apprentice has been indentured, or fail at any time to provide suitable and proper board, lodging, and medical attendance, said apprentice individually, or his parent or parents, guardian or guardians, may bring an action against such employer or employers, to recover damages sustained by reason of said neglect or refusal; and, if proved to the satisfaction of the court, said court shall direct said indentures to be canceled, and may impose a fine on said employer or employers, not exceeding one thousand and not less than one hundred dollars, and said fine shall be collected and paid over to said apprentice or his parent or guardian for his sole use and benefit.

SECTION 6. Any indentures made and executed, wherein parts conflict with or are not in accordance with the provisions of this act, shall be invalid and without any binding effect.

BINDING OUT OF DESTITUTE CHILDREN BY SOCIETIES, ETC.

(Page 2351.)

SECTION 1. Every society or association incorporated under the laws of the State for the purpose of taking care of and protecting destitute infant minor children may, with the consent of any justice of the supreme court, or of the county judge in the county wherein such society or association may be situated, such consent to be expressed in writing on the indentures, bind out any destitute minor child or children which have been in their care and keeping for three months, of the age of eight years and upwards, by indenture, to serve as clerk, apprentice or servant in any profession, trade or employment; if a male, for a period which shall not be beyond his twenty-first year, and if a female, for a perid which shall not be beyond her eighteenth year.

SECTION 2. Such indenture shall be executed under seal and signed by such officer of such society or association as shall be authorized by the directors or trustees of such society or association to sign such indenture, and shall be signed also by the person employing such apprentice or minor child.

SECTION 3. The age of every infant so bound and the sum of money paid or agreed for, with, or in relation to the binding out of such minor child shall be inserted in the indenture, and such age shall be taken prima facie to be the true age without further proof thereof.

SECTION 4. The indenture shall contain an agreement on the part of the person to whom such child shall be bound, that he will cause such child to be instructed to read and write, and if a male, shall cause him to be instructed in the general rules of arithmetic, and shall contain such other provisions for the benefit of such infant as shall be deemed proper by any of the officers or trustees of said society or association, and which shall be agreed to by such person receiving such infant.

SECTION 5. Should such employer fail at any time to provide suitable and proper board, lodging and medical attendance, or shall fail to perform any of the provisions of said indenture on his part, said apprentice, individually, or any person on his behalf, may bring an action against said employer to recover damages sustained by reason of such failure; and if proved to the satisfaction of the court, and the court shall deem it a proper case, the court shall direct said indentures to be canceled, and may impose a judgment upon such employer not exceeding one thousand dollars and not less than one hundred dollars, and said judgment shall be collected and paid over to said society or association, which formerly had the custody of such child, to be used for the benefit of such minor in such manner as the trustees thereof shall direct.

GENERAL PROVISIONS AS TO APPRENTICES.

(Page 2352.)

SECTION 26. No indenture or contract for the service of any apprentice shall be valid as against the person whose services may be claimed, unless made in the manner before prescribed in this title.

SECTION 27. The county superintendents of the poor and the overseers of the poor of the respective cities or towns shall be the guardians of every person bound or held in service, in their respective cities or towns, to take care that the terms of the contract of service be fulfilled, and that such person be properly used; and it is hereby made their special duty to inquire into the treatment of every such person, and redress any grievance in the manner prescribed by law.

SECTION 28. If any person lawfully bound to service under either of the preceding articles of this title, shall wilfully absent himself from such service without the leave of his master, he shall be compelled to serve double the time of such absence, unless he shall otherwise make satisfaction for the loss and injury sustained by such absence; but such additional term of service shall not extend beyond three years, next after the end of the original term of service.

SECTION 29. If any such person shall refuse to serve according to the provisions of this title, or the terms of his contract or indentures, his master may apply to any justice of the peace of the county, or to the mayor, recorder, or any alderman of the city, where he shall reside, who shall be authorized by warrant or otherwise, to send for the person so refusing, and if such refusal be persisted in, to commit such person, by warrant, to the bridewell, house of correction, or common jail of the city or county, there to remain until such person will consent to serve according to law.

SECTION 39. No person shall accept from any journeyman or apprentice, any contract or agreement, nor cause him to be bound by oath or otherwise, that after his term of service expired, such journeyman or apprentice shall not set up his trade, profession or employment, in any particular place, shop, house or cellar; nor shall any person exact from any journeyman or apprentice, after his term of service expired, any money or other thing, for using and exercising his trade, profession or employment, in any place.

SECTION 40. Every security given contrary to the provisions contained in the last section, shall be void; any money paid, or valuable thing delivered, for the consideration, in part or in whole, of any such agreement or exaction, may be recovered back by the person paying the same, with interest; and every person accepting such agreement, causing such obligation to be entered into, or exacting money or other thing as aforesaid, shall forfeit one hundred dollars, to the apprentice or journeyman from whom the same shall have been received.

SECTION 43. The provisions of this title shall apply as well to mistresses, female guardians, apprentices and wards, respectively, as to masters, male guardians, apprentices and wards.

DIGEST OF APPRENTICE LAWS.

PERSONS WHO MAY BE BOUND OUT.

[See notes, pp. 33-40.]

The following classes of persons may be bound out as apprentices (under certain conditions and regulations) in the States and Territories noted below. In the statutes of the States and Territories not named no apprentice laws have been found:

Minors.—In Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin.

Persons of full age.—In Delaware, Georgia, Louisiana.

NOTES.

The particulars in regard to the binding out of apprentices in the different States and Territories are as follows:

MINORS.

Alabama.—Any parent may bind out a minor child, and the probate judge of a county may bind out the children of any person unable to provide for their support.

Arkansas.—A minor may be bound out by the father, by the guardian, if an orphan without sufficient estate for its maintenance, and by the mother if the father is dead and no guardian has been appointed. In any case the indentures must be approved by the judge of the county court.

California.—A minor of fourteen years of age or over can be bound out by the father, by the mother or guardian if the father is dead, incompetent, has wilfully abandoned his family for one year without making suitable provision for their support, or has become a habitual drunkard, vagrant, etc., by the judge of the superior court, if poor, homeless, chargeable to the county, or an outcast, he has no visible means of obtaining an honest livelihood, and by an executor who is directed in the last will of the father to bring up the child to some trade or calling. Minors can also bind themselves if they have no parents competent to act and no guardians. The consent of the minor is necessary in all cases and must be expressed in the indentures and testified to by his signing the same.

Colorado.—A minor can be bound out by the father, or by the mother or guardian, if the father is dead, incompetent, has wilfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard. In the above cases the consent of the minor, who is over fourteen years of age, is necessary and must be expressed in the indentures and testified to by his signing the same. A minor can also be bound out by a superintendent of the poor of the county if either the minor or its parents are, or may be, chargeable to the county or shall beg for alms, if the parents are poor and the father an habitual drunkard, and if the father is dead and the mother is of a bad character or suffers the minor to grow up in idleness, etc. A minor can bind himself if he has no parents competent to act and no guardian.

Connecticut.—A minor can be bound out by the father or guardian, in which case the consent of a minor who is over 14 years of age is necessary and must be expressed in the indentures and testified to by his signing the same. The selectmen of a town may, with the consent of a justice of the peace, bind out the children of any person who, having had relief from said town, mis-spend their time and shall neglect to employ them in some honest calling, and of any person who does not provide competently for his children whereby they are exposed to want, also any poor children who live idly or are exposed to want and there are none to take care of them. The trustees of the State reform school may, with the consent of the boy or his parents or guardian, bind out any boy who is committed to said school during his minority. The directors of the industrial school for girls may bind out any girl committed to said school. The overseers of an Indian tribe may, with the consent of two justices of the peace, bind out children of said tribe who are poor, idle, and unprovided for. A minor when of the age of 14 may, with the consent of the selectmen of his town, bind himself if he has no father or guardian within the State.

Delaware.—A minor may be bound out by the father, by the guardian, if there be no father residing in the State, by the mother if no father residing in the State and there is no guardian, by any two trustees of the poor if minor is living in the almshouse, and by any two justices of the peace acting together if minor has no parents residing in the State and has not sufficient property for his maintenance, or if his parents are not able to maintain and bring him up to industry and suitable employment. A minor when of the age of 14 may also bind himself if he has no parents and no guardian residing in the State, and in this case the consent of a justice of the peace is necessary.

Florida.—A minor may be bound out by any parent or by a guardian. If said minor is under 16 years of age the approval of the judge of the county court of the county of which said parent or guardian is a resident is necessary, and if said minor is of the age of 16 or over, his own assent, evidenced by his signature to the indentures, is required. Poor orphans, without estates sufficient for their maintenance out of their profits, shall be bound out by order of the judge of the county court. When a person having control of a child under 16 years of age is adjudged a vagrant said child shall be bound out by the court rendering the judgment. When a person applies to be placed on the pauper list of a county the board of county commissioners, in granting said application, may in their discretion require that the children of such applicant under the age of 16 be bound out. When a child under the age of 16 is abandoned by the father who fails to provide him with support and maintenance he may be bound out by the judge of the county court, but not unless with the assent of the mother, or unless she is unable or neglects to provide for its support and maintenance.

Georgia.—Minors may be bound out by their parents, and those whose parents are dead or residing out of the county, and whose estates yield profits insufficient for support and maintenance, or those whose parents, from age, infirmity, or

poverty, are unable to support them shall be bound out by the judge of the county court or the ordinary.

Illinois.—Only a minor under the age of 16 years can be bound out as an apprentice. Such a minor can be bound out by the father with the consent of the mother, or, in case of her death, habitual drunkenness, prostitution, imprisonment in the penitentiary, incapacity, or willful desertion of the family for six months, without her consent; by the mother in case of the death, habitual drunkenness, imprisonment in the penitentiary, or incapacity of the father, and by the guardian in case neither father nor mother is living and free from above objections. A minor may also be bound out by the executor or executors who are directed by the father's last will and testament to bring the child up to some trade or calling. A minor who habitually begs for alms, who is, or whose parents are chargeable to the county or town, or who is supported in whole or in part at the charge of the county or town, may be bound out by the county board of overseers of the poor, as the case may be, with the approval of the judge of the county or circuit court.

Indiana.—A minor may be bound out by the father; by the mother, if there be no father, or if he be incompetent; by the guardian, if there be neither father nor mother. If the minor is over 14 years of age his consent is necessary, and must be expressed in the indentures and attested by his signature. The overseers of the poor (township trustees) may, with the consent of the county judge, indorsed on indentures, bind out the child of any pauper supported in whole or in part by the county, and any child whose parents abandon or neglect or are unable to support it. They may also bind out a child having neither father, mother, nor guardian, and having no sufficient means of support or education, and any white child taken from any asylum in any other State and brought into the State of Indiana to be bound. The board of children's guardians of a township may, under the order of the court, bind out children abandoned, neglected, or cruelly treated by their parents; children begging on the streets; children of habitually drunken, or vicious or unfit parents; children kept in vicious or immoral association; children known by their life and language to be vicious and incorrigible, and juvenile delinquents and truants. Any corporation for the purpose of establishing and maintaining an asylum and home for the care, support, discipline, and education of orphan children, may bind out any inmate who has neither father, mother, nor guardian, or one whose parents has granted to the corporation the authority to bind the child. A minor can be bound out by manual labor schools organized and incorporated under the laws of the State. The superintendent of the female reformatory of the State may bind out a girl committed there during her minority, but only with her consent. A minor over the age of fourteen, having no father, mother, nor guardian, may bind himself, but the consent of the probate judge of the county, to be indorsed on the indentures, is necessary.

Iowa.—A minor may be bound out, with a written consent appended to or indorsed on the indentures by the father; if he is dead, has abandoned his family, or is for any cause incapacitated, then by the mother; if she is dead, or unable, or incapacitated, then by the guardian, or, if no guardian, then by the clerk of the circuit court. If the minor is more than 12 years of age the indentures must be signed by him of his own free will. A pauper minor may be bound out by the clerk of the circuit court without obtaining his assent. Poor children in a poorhouse who are deemed likely to remain a permanent charge on the public may be bound out by the board of supervisors of the county. Children in the State reform school may be bound out by the trustees thereof with the written consent of their parents or guardians, if any.

Kansas.—A minor may bind himself of his own free will. The consent, indorsed on the indentures, is necessary, of the father, or, if he is dead, has no legal capacity to give consent, has willfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard, then of the mother or guardian, and if there is no parent or guardian then of the probate court. An orphan or minor who has no estate sufficient for his maintenance may be bound out by his guardian with the consent of the probate court. An executor, who is directed by the last will of a father to bring up a child to some trade or calling, has the power, with the consent of the mother, if living, to bind the child out. A poor child who is, or may be, chargeable to the county or shall beg for alms, whose parents are poor and the father an habitual drunkard, or, if there be no father, whose mother is of a bad character, or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. Overseers of the poor of townships and cities and superintendents of county asylums shall bind out *such poor children* as fall under their care and charge. The trus-

tees of the State reform school may bind out any boy committed thereto with his consent.

Kentucky.—A poor orphan and any other child, whose relatives or parents, in the judgment of the court, will not bring them up in moral courses, may be bound out by the county court. Any orphan minor may be bound out by its guardian, or if no guardian, by its mother, with the consent of the county court. The law only provides for the binding as apprentices of the above classes of minors.

Louisiana.—A minor may bind himself as an apprentice. The consent is necessary of a parent, tutor or curator, or, if there be no such person in the parish where the minor resides, then the consent of the mayor of New Orleans, in the parish of New Orleans, or of the parish judges of their respective parishes throughout the State.

Maine.—A minor may be bound out by the father, if living; if not, by the mother or legal guardian. The consent of a minor, who is over 14 years of age, is necessary, and if a minor is bound out prior to that age the indenture will not continue in force beyond that age unless the minor upon reaching it shall give his consent. A minor, having no parent or guardian, may bind himself out with the approbation of the municipal officers of the town where he resides. Overseers of the poor of a town may bind out the minor children of parents chargeable to the town or of those, who, in the opinion of the overseers, are unable to maintain them, and minor children who are themselves chargeable. The trustees of the State reform school may bind out boys committed thereto, and the trustees of the industrial school for girls, girls committed thereto, for a period not exceeding term of confinement.

Maryland.—The orphans' courts in the several counties and the city of Baltimore or any two justices of the peace, or in Somerset county a single justice of the peace, may bind out any orphan child, the increase or profits of whose estate is not sufficient for his maintenance, support, or education, children who are suffering through the indigence or poverty of their parents, children of beggars, illegitimate children and children of persons out of the State to whom sufficient sustenance is not afforded. The trustees of the poor in any county may, in the recess of the orphans' court, bind out the child or children of any pauper or vagrant, but the indentures must within two months thereafter be approved by the orphans' court by indorsement thereon. A minor may be bound out by his father. The directors of the penitentiary and the managers of the house of correction, or any three of them, may bind out the children of female convicts who are brought to or born in said institutions. The House of the Good Shepherd of the city of Baltimore may, with the consent of the minor, bind out such white female children as are committed to the institution. The managers of the House of Reformation may, with the consent of the minor, bind out such children as are committed to said institution. The managers of the House of Refuge may, with the consent of the minor, bind out such white male children as are committed to their care. The managers of the Industrial Home for colored girls may bind out such minors as are committed to their care. In Allegheny County the trustees of the almshouse may bind out any minor child under their charge and dependent on the county for support.

Massachusetts.—A minor may be bound out by the father; if he is dead or incompetent, by the mother or legal guardian, and if illegitimate, by the mother. If the minor is over 14 years, his or her consent is necessary and must be expressed in the indentures and testified by the signature of the minor. A minor child who is, or either of whose parents is, chargeable to a town, may be bound out by the overseers of the poor. A minor who has no parent competent to act and no guardian, may, with the approbation of the selectmen of the town where he resides, bind himself out.

Michigan.—A minor may bind himself out. The consent, indorsed on the indentures, is necessary of the father, or, if the father is dead, not in legal capacity to give his consent, or if he shall have abandoned and neglected to provide for his family, then of the mother, or, if she is dead or not in legal capacity to give or refuse such consent, then of the guardian, or, if there is no guardian, then of any two justices of the peace of the township, of the recorder of the city, or of the circuit or probate judge of the county. The county superintendents of the poor can bind out a child who shall be sent to any county poorhouse, who is, or who shall become, chargeable, in whole or in part, to the county, or whose parent or parents shall become so chargeable.

Minnesota.—A minor can be bound out by the father; if the father is dead or incompetent, by the mother or legal guardian, and if illegitimate, he may be bound out by the mother. The consent of a minor who is over 14 years of age is necessary and must be expressed in the indentures and testified by his signing the

same. If there is no parent competent to act and no guardian, minor may bind himself, but must have the approbation of the county commissioners of the county where he resides. A minor chargeable upon a county for support may be bound out by the board of county commissioners of said county. The managers of the State reform school may, with the consent of the minor, bind out a minor committed to their care.

Mississippi.—The law provides only for the binding out of poor orphan children and children whose parents are unable to support them. They can be bound out by the supervisor of the proper district under the direction of the board of supervisors of the county.

Missouri.—A minor may be bound out by the father, or, in case of his death, incompetency, when he shall have willfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard, then by the mother or legal guardian. If illegitimate, a minor may be bound out by the mother. When a minor who is over 14 years of age is bound out by a parent or guardian, the consent of said minor is necessary and must be expressed in the indentures and testified by his signing the same. An executor who is directed in the will of the father to bring up a child to some trade or calling may bind said child out in like manner as the father could have done. A poor child who is, or may be, chargeable to the county, or who shall beg for alms, or whose parents are poor and the father is an habitual drunkard, or whose father is dead and the mother is of bad character or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. An orphan minor who has not estate sufficient for his maintenance may be bound out by his guardian under direction of the probate court.

Montana.—The law provides only for the binding out of a minor under 15, or of any other person who shall become, or is likely to become, chargeable to the county either because of being an orphan, or because the parents or other relatives are unable or refuse to support them. They can be bound out by the county commissioners.

Nevada.—A minor may be bound out by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the board of county commissioners of the county or by the district judge of the district in which the child resides.

New Hampshire.—A minor may be bound out by the father, or, if he be dead, by the mother or guardian. If the minor is over 14 years of age his consent is necessary and must be expressed in the indentures and testified by his signing the same. If a minor has no parent or guardian he may bind himself out, with the approbation of the selectmen or overseers of the poor of the town where he resides. Overseers of the poor in any town may bind out all children who are not employed in some lawful business and whose parents are unable or neglect to maintain them. The county commissioners may bind out any minor chargeable or likely to be chargeable to the county. Trustees of the reform school may bind out any scholar of said school.

New Jersey.—A minor may bind himself out of his own free will and accord. The consent of the father is necessary, or, if he is dead, of the mother or guardian. The consent of the mother is necessary also where the consent of the father or guardian is obtained. Said consent must be expressed in the indentures and testified by the party signing and sealing the same. The overseers of the poor or any two of them, with the approbation of two justices of the peace of any county or township, may bind out any poor child, children who have no parents, children whose parents shall apply to the overseers for relief, and the child or children of any poor parents who shall bring up their said children in sloth, idleness and ignorance, and who, upon advice and direction given by the overseers, shall for three months after said advice and direction refuse or neglect to bind out their children. The trustees of the reform school may bind out boys committed to said school. The trustees of the industrial school for girls may bind out girls therein. The president of a board of trustees of a poorhouse with the consent of a majority of the board, or, where no trustees are appointed, the director of the board of chosen freeholders, with the consent of a majority of said board, may bind out poor children who are chargeable upon the county.

New Mexico.—A minor may be bound out by the father, or, if the father is dead and no guardian has been appointed, by the mother. Guardians, under direction of probate court, may bind out orphan minors who have not sufficient estates for their maintenance and education nor friends or relatives willing to incur the expense of the same. In the above cases the indentures must be approved by the probate court. Judge of probate may bind out children who are *poor orphans or whose* parents have not the means of maintaining them or who

willfully neglect to support and educate them, and children who are poor and whose parent or parents shall be sentenced to confinement in jail or prison for a term of five years or more.

New York.—A minor may bind himself out of his own free will. The consent is necessary of the father, or if he be dead, not in a legal capacity to give his consent, or shall have abandoned and neglected to provide for his family, and such fact be certified by a justice of the peace of the town and indorsed on the indentures, then of the mother; or, if she be dead or not in legal capacity to give such consent, then of the guardian; or, if both parents are dead or not in legal capacity to give consent and there be no guardian, then of the overseers of the poor, or any two justices of the peace of the town or any judge of the county courts of the county where the minor resides. Executors, directed in the last will of the father to bring up a child to some trade or calling, may bind said child out. County superintendents of the poor and overseers of the poor of any town or city may bind out children who shall be sent to any county, town, or city house, or who or whose parents are, or shall become, chargeable to said county, town, or city. The overseers of the poor must have the consent in writing of any two justices of the peace of the town, or of the mayor, recorder, and aldermen of any city or of any two of them. The consent of the minor's legal guardian or guardians is necessary in all the above cases. Societies or associations incorporated for the purpose of taking care of and protecting destitute infant minor children may with the consent, expressed in writing on the indentures, of any justice of the supreme court, or of the county judge in the county where such society or association may be situated, bind out any such child or children, of the age of 8 years and upward, who have been in their care and keeping for three months.

North Carolina.—A minor above the age of 14 and under 21 years being a male, and 18 being a female, whether indigent or not, may be apprenticed to learn any trade or craft by the father, or, if he is dead, incompetent, has willfully abandoned his family for six months without making suitable provisions for their support, or has become an habitual drunkard, by the mother or legal guardian. If illegitimate such child may be bound by the mother. If said minor has no parents competent to act and no guardian he may bind himself, with the approbation of a superior court clerk of the county where he resides. The consent of such minor is necessary and must be expressed in the indenture and testified to by signing the same. A minor over 14 can also be apprenticed to learn a trade or craft by orphan asylums or charitable institutions organized and incorporated for the purpose of taking care of indigent children. Indigent children are defined to be as follows: All orphans whose estates are of so small value that no person will educate and maintain them for the benefits thereof; all infants whose fathers have deserted their families and been absent six months, leaving them without sufficient support; any poor child who is or may be chargeable to the county or shall beg alms; any child who has no father and the mother is of bad character or suffers her children to grow up in habits of idleness without visible means of obtaining an honest livelihood; and all children whose parents do not habitually employ their time in some honest, industrious occupation. Such indigent children may be bound out by the superior court clerk of the county where they reside.

North Dakota.—A minor may bind himself out. The consent is necessary of both the father and mother; if the father is dead, of the testamentary guardian or executor, or, if no such guardian or executor has been appointed, then of the mother; if the father lacks capacity to consent or has abandoned or neglected to provide for his family, of the mother; if the mother is dead or lacks capacity to consent, of the father; if there is no parent of capacity to consent and no executor, of the guardian; if there is no such parent, executor, or guardian, then of the officers of the poor of the town or county, of any two justices of the peace of the county, or of the probate judge. A child who is, or whose parents are, chargeable to a county or city poorhouse, or who is in such poorhouse, may be bound out by the proper officers of the poor with the written consent of a justice of the peace.

Ohio.—A minor may be bound out by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the trustees of a township or by the officers of an orphan asylum wherein he is placed.

Oregon.—A minor may be bound out by the father, or, if he is dead or incompetent, by the legal guardian; if illegitimate, by the mother, and if there is no parent competent to act and no guardian, he may bind himself out with the approbation of the county court of the county where he resides. The consent of *the minor who is above* 14 years of age, bound out by a parent or guardian, is *necessary and must be expressed* in the indentures and testified by his signing

the same. The county court may bind out a child who is, or whose parents are, chargeable to the county. The superintendent of the reform school may, with the consent of the minor, bind out any minor committed to said institution.

Pennsylvania.—Minors may be bound out with the assent of a parent, guardian, next friend, or of the overseers of the poor and approbation of any two justices. The justices of the orphans' court in the respective counties shall have full power, at the instance and request of executors, administrators, guardians, or tutors, to order and direct the binding out of minors. The overseers of the poor may, with the approbation and consent of two or more magistrates of the same county, bind out any poor child whose parents are dead or are found by said magistrates to be unable to maintain it. All corporations organized for the purpose of providing homes for friendless or destitute children, may bind out a child committed to their charge, whose maintenance is unprovided for by its parents or guardians. The directors of almshouses may bind out any child in their charge. The managers of the House of Refuge of Philadelphia and of the House of Refuge of western Pennsylvania may bind out, with the consent of the minor, any minor committed to their care.

Rhode Island.—A minor may be bound out by the father, or, if he is dead, by the mother when sole; or, being under the age of 14, by the legal guardian. A minor, if 14 years of age and having no parent, may bind himself out with the approbation of his guardian, or, if he has no guardian, by and with the approbation of the town council of the town where he resides. The overseers of the poor of a town, with the advice and consent of the town council, may bind out children of parents who are lawfully settled in and have become chargeable to the town; children of parents so settled, whose parents, whether they receive alms or are chargeable or not, shall be deemed by said overseers unable to maintain them; children of parents residing in the town who are there supported at the charge of the State; children of parents or a parent, residing in a town, who have no legal settlement in the State and are adjudged by the town council to be unable to maintain them, and children in a town without estate sufficient for their maintenance, who have no parents residing therein, and who have no legal settlement in the State. Such children may be bound out to any citizen or to any incorporated institution for the care of children, of the State or of the States of Massachusetts or Connecticut, to the Providence Children's Friend Society, to the Home for Friendless Children in Newport, or to the Providence Shelter for Colored Children.

South Carolina.—A minor may be bound out with the approbation of the father, mother, or guardian, or, if the minor has neither father, mother, nor guardian, of the grandfather, grandmother, or brother, sister, uncle, or aunt of mature age, in the order as above, or, if the minor has none of the above relatives, of the trial justice. Said approbation must be certified on the indentures by a trial justice under his hand and seal. A poor child chargeable to a county, and an illegitimate child likely to become chargeable to a county or to become demoralized by the vicious conduct and evil example of its mother or other person having charge of it, may be bound out by the county commissioners.

South Dakota.—The same as North Dakota, above.

Tennessee.—The county court may bind out, in the name of the State, an orphan whose estates are of so small value that no person will educate or maintain him for the profits thereof, a base-born child, and any child totally abandoned by the father and for whom he fails to provide support and maintenance. In the last case above, the consent of the mother must be given in open court unless she is unable to provide for the maintenance of the child. The law does not provide for the binding out as apprentices of any other classes of children than those mentioned above.

Texas.—The county court may bind out an orphan who is without sufficient estate for his maintenance and education, a child whose parents have suffered him to become a charge upon the county, and a child whose parents, not being a charge on the county, shall consent in writing to his apprenticeship, which consent shall be signed by them and filed and entered of record in such court.

Utah.—A minor may be bound out by a parent or guardian, and if the minor is over 12 years of age the indentures must also be signed by him. The probate court or selectmen may bind out an idle, vicious, or vagrant minor child without its consent and without the consent of its parents or guardians, if said parents or guardians neglect, refuse, or otherwise fail in properly controlling the actions and education of such child, and do not train it up in some useful avocation; also a child whose parents, from habitual drunkenness and vicious and brutal conduct, etc., are not deemed suitable persons to retain the guardianship or control the education of it.

Vermont.—A minor may be bound out by the father, or, if he is dead or incom-

petent, by the mother or legal guardian, or, if there is no parent competent to act and no guardian, he may bind himself with the approbation of the selectmen of the town where he resides. If illegitimate it may be bound by its mother, but the power of a mother to bind out her children, whether legitimate or illegitimate, shall cease upon her subsequent marriage. If a minor, bound as above, is over 13 years of age, his consent is necessary and must be expressed in the indentures and testified by his signing it. The overseers of the poor may bind out the minor children of a poor person who has become chargeable to a town, or who is supported in whole or in part at the charge of such town, and minor children who are themselves chargeable to the town. The trustees of the reform school may bind out children committed to said school.

Virginia.—A minor may be bound out by the guardian, or, if none, by the father, or, if neither, by the mother. The consent, entered of record, of the court of the county or corporation in which the minor resides is necessary unless the minor, being 14 years of age, gives his consent in writing. An incorporated association, asylum, or school instituted for the support and education of destitute children, may bind out such children as have been placed in its charge. Overseers of the poor of a county or corporation may, if allowed by order of a court thereof, bind out any minor found begging in such county or corporation, or who is likely to become chargeable thereto.

Washington.—The county commissioners may bind out a minor likely to become chargeable to the county, either because of its being an orphan or because its parents or other relatives are unable or refuse to support it. No other law on the subject of apprentices appears in the code or acts of the State.

West Virginia.—A minor may be bound out by the father, if none, by the guardian, or, if neither, by the mother. The consent, entered of record, of the county court of the county where the minor resides is necessary, unless the minor, being 14 years of age, gives his consent in writing. The clerk of a county may bind out any minor who is found begging therein or who is likely to become chargeable thereto.

Wisconsin.—A minor may bind himself out of his own free will. The consent is necessary of the father, or, if he is dead or not in legal capacity to give consent or shall have abandoned and neglected to provide for his family and such fact be certified by a justice of the peace of the town and indorsed on the indentures, then, of the mother; if she is dead or not in a legal capacity to give consent, then by the guardian; if there are no parents living or none in legal capacity to give consent and no guardian, then by the supervisors or any two justices of the peace of the town where the minor resides. If a minor is illegitimate the consent of the mother is necessary whether its putative father is living or not. The managers of the industrial school for boys may bind out those committed to their care with the consent of their parents or guardians, if they have any.

PERSONS OF FULL AGE.

Delaware.—Only immigrants can so be bound, and the consent of a justice of the peace to such binding is necessary.

Georgia.—Persons of full age may bind themselves out.

Louisiana.—Persons over twenty-one years of age may bind themselves out.

TERM FOR WHICH APPRENTICE MAY BE BOUND.

[See notes, pp. 41-43.]

In the States and Territories noted below no apprentice can be bound for a longer term than:

Males—Until 21 years of age—Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin.

Males—Until 18 years of age—Connecticut, Iowa, Kansas, Nevada.

Males—Until 16 years of age—Illinois.

Males—Until 14 years of age—Massachusetts, Minnesota, New Hampshire, Oregon.

Males—For a period of not more than one year—California, New York, North Dakota, South Dakota.

Males—For a period of not more than five years—Delaware, Georgia, Louisiana, New York, North Carolina.

Males—For term for which committed to reformatory institution—Maine, New Hampshire, Vermont.

Females—Until 21 years of age—Georgia, Tennessee.

Females—Until 18 years of age—Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Iowa, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin.

Females—Until 16 years of age—Connecticut, Florida, Illinois, Iowa.

Females—Until 15 years of age—Nevada.

Females—Until 14 years of age—Massachusetts, Minnesota, New Hampshire, Oregon.

Females—For a period of not more than one year—California, New York, North Dakota, South Dakota.

Females—For a period of not more than five years—Delaware, Georgia, Louisiana, New York, North Carolina.

Females—For term for which committed to a reformatory institution—Connecticut, Maine, New Hampshire, Vermont.

NOTES.

The limitations on the application of the term in the States and Territories where such limitations exist are as follows:

MALES—UNTIL 21 YEARS OF AGE.

California.—Applies except in case of minors capable of becoming citizens of the State, and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.

Connecticut.—Applies except in case of the binding out of Indian children.

Delaware.—Applies except in case of the binding out of an immigrant of full age.

Georgia.—Applies except in case of the binding out of a person of full age.

Iowa.—Or until marriage within said age. Applies except in the case of the binding out of minor inmates of poorhouses.

Kansas.—Applies only in case of the binding out of inmates of the reform school.

Louisiana.—The same as Georgia, above.

Maine.—Applies except in case of the binding out of inmates of the reform school.

Massachusetts.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.

Minnesota.—The same as Massachusetts, above.

New Hampshire.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves, and of the binding out of inmates of the reform school.

New York.—Provided, that the term must not be for more than five nor less than three years. Applies except in case of minors capable of becoming citizens of the State and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.

North Carolina.—Applies only in case of the binding out of indigent children by the clerks of the superior courts.

North Dakota.—The same as California, above.

Oregon.—The same as Massachusetts, above.

South Dakota.—The same as California, above.

Utah.—Or until marriage within said age.

Vermont.—The same as Maine, above.

Virginia.—Applies except in case of the binding out of a minor, placed, for a time agreed on in writing, in an incorporated association, asylum, or school. In such a case the minor can only be bound out for the period for which placed in such institution.

MALES—UNTIL 18 YEARS OF AGE.

Connecticut.—Applies only in case of the binding out of an Indian child.

Iowa.—Applies only in case of the binding out of minor inmates of poorhouses.

Kansas.—Applies except in case of the binding out of inmates of the reform school.

MALES—UNTIL 14 YEARS OF AGE.

Massachusetts.—Applies only in case of the binding out of children under 14 years of age by the parents or guardians or by themselves.

Minnesota.—The same as Massachusetts, above.
New Hampshire.—The same as Massachusetts, above.
Oregon.—The same as Massachusetts, above.

MALES—FOR A PERIOD OF NOT MORE THAN ONE YEAR.

California.—Applies only in case of minors capable of becoming citizens of the State and coming from any other country, State, or Territory, and binding themselves out for the purpose of paying for their passage. In such a case a minor may bind himself out for the term of one year, even if said term extends beyond the date of his majority.
New York.—The same as California, above.
North Dakota.—The same as California, above.
South Dakota.—The same as California, above.

MALES—FOR A PERIOD OF NOT MORE THAN FIVE YEARS.

Delaware.—Applies only in case of the binding out of an immigrant of full age.
Georgia.—Applies only in case of the binding out of a person of full age.
Louisiana.—The same as Georgia, above.
New York.—Nor for a shorter term than three years. Applies except in case of the binding out of children by societies or associations incorporated for the purpose of taking care of and protecting destitute minor children and of the binding of immigrant minors for the purpose of paying their passage.
North Carolina.—Nor for a shorter term than three years. Applies except in case of the binding out of indigent children by the clerks of the superior courts.

MALES—FOR TERM FOR WHICH COMMITTED TO REFORMATORY INSTITUTION.

Maine.—Applies only in case of the binding out of inmates of the reform school.
New Hampshire.—The same as Maine, above.
Vermont.—The same as Maine, above.

FEMALES—UNTIL 21 YEARS OF AGE.

Georgia.—Applies except in case of the binding out of any person of full age.
Tennessee.—Applies only in case of the binding out of a base-born child.

FEMALES—UNTIL 18 YEARS OF AGE.

California.—Applies except in case of minors, capable of becoming citizens of the State and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.
Colorado.—Or until marriage within said age.
Connecticut.—Or until marriage within said age. Applies except in case of the binding out of Indian children and of inmates of the Industrial School for Girls.
Delaware.—Applies except in case of the binding out of an immigrant of full age.
Florida.—Applies except in case of the binding out of poor orphans.
Iowa.—Or until marriage within said age. Applies except in case of the binding out of minor inmates of poorhouses.
Indiana.—The same as Colorado, above.
Louisiana.—Applies except in case of the binding out of any person of full age.
Maine.—Or until marriage within said age. Applies except in case of the binding out of inmates of the Industrial School for Girls.
Massachusetts.—Or until marriage within said age. Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.
Michigan.—The same as Colorado, above.
Minnesota.—The same as Massachusetts, above.
Missouri.—The same as Colorado, above.
New Hampshire.—The same as Massachusetts, above.
New York.—Provided, that the term must be for not more than five nor less than three years. Applies except in case of minors capable of becoming citizens of the State, and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.
North Carolina.—Applies only in case of the binding out of indigent children by the clerks of the superior courts.
North Dakota.—The same as California, above.
Oregon.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.
Rhode Island.—The same as Colorado, above.

South Carolina.—The same as Colorado, above.
South Dakota.—The same as California, above.
Tennessee.—Applies except in case of the binding out of a base-born child.
Texas.—The same as Colorado, above.
Utah.—The same as Colorado, above.
Vermont.—Or until marriage within said age. Applies except in case of the binding out of inmates of the reform school.
Virginia.—Applies except in case of the binding out of a minor, placed, for a time agreed on in writing, in an incorporated association, asylum, or school. In such a case the minor can only be bound out for the period for which placed in such institution.
Wisconsin.—The same as Colorado, above.

FEMALES—UNTIL 16 YEARS OF AGE.

Connecticut.—Or until marriage within said age. Applies only in case of the binding out of an Indian child.
Florida.—Applies only in case of the binding out of poor orphans.
Iowa.—Or until marriage within said age. Applies only in case of the binding out of minor inmates of poorhouses.

FEMALES—UNTIL 14 YEARS OF AGE.

Massachusetts.—Applies only in case of the binding out of children under 14 years of age by the parents or guardians, or by themselves.
Minnesota.—The same as Massachusetts, above.
New Hampshire.—The same as Massachusetts, above.
Oregon.—The same as Massachusetts, above.

FEMALES—FOR A PERIOD OF NOT MORE THAN ONE YEAR.

California.—Applies only in case of minors, capable of becoming citizens of the State, and coming from any other country, State, or Territory, and binding themselves out for the purpose of paying for their passage. In such a case a minor may bind herself out for the term of one year, even if said term extends beyond the date of her majority.
New York.—The same as California, above.
North Dakota.—The same as California, above.
South Dakota.—The same as California, above.

FEMALES—FOR A PERIOD OF NOT MORE THAN FIVE YEARS.

Delaware.—Applies only in case of the binding out of an immigrant of full age.
Georgia.—Applies only in case of the binding out of a person of full age.
Louisiana.—The same as Georgia, above.
New York.—Nor for a shorter term than three years. Applies except in case of the binding out of children by societies or associations incorporated for the purpose of taking care of and protecting destitute minor children, and of the binding of immigrant minors for the purpose of paying their passage.
North Carolina.—Nor for a shorter term than three years. Applies except in case of the binding out of indigent children by the clerks of the superior courts.

FEMALES—FOR TERM FOR WHICH COMMITTED TO A REFORMATORY INSTITUTION.

Connecticut.—Applies only in case of the binding out of inmates of the Industrial School for Girls.
Maine.—The same as Connecticut, above.
New Hampshire.—Applies only in case of the binding out of inmates of the reform school.
Vermont.—The same as New Hampshire, above.

UNLAWFUL ACTS AFFECTING APPRENTICES.

[See notes, p. 44.]

In the States and Territories noted below the following-described acts are expressly declared to be unlawful:

To entice, persuade, etc., an apprentice to leave or run away from service.—Alabama, Arkansas, California, Connecticut, Florida, Illinois, Kansas, Kentucky, Maryland, Missouri, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Virginia.

To knowingly harbor, conceal, or employ an apprentice who has run away from service.—Alabama, Arkansas, California, Delaware, Florida, Kansas, Kentucky, Maryland, Missouri, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia.

poverty, are unable to support them shall be bound out by the judge of the county court or the ordinary.

Illinois.—Only a minor under the age of 16 years can be bound out as an apprentice. Such a minor can be bound out by the father with the consent of the mother, or, in case of her death, habitual drunkenness, prostitution, imprisonment in the penitentiary, incapacity, or willful desertion of the family for six months, without her consent; by the mother in case of the death, habitual drunkenness, imprisonment in the penitentiary, or incapacity of the father, and by the guardian in case neither father nor mother is living and free from above objections. A minor may also be bound out by the executor or executors who are directed by the father's last will and testament to bring the child up to some trade or calling. A minor who habitually begs for alms, who is, or whose parents are chargeable to the county or town, or who is supported in whole or in part at the charge of the county or town, may be bound out by the county board of overseers of the poor, as the case may be, with the approval of the judge of the county or circuit court.

Indiana.—A minor may be bound out by the father; by the mother, if there be no father, or if he be incompetent; by the guardian, if there be neither father nor mother. If the minor is over 14 years of age his consent is necessary, and must be expressed in the indentures and attested by his signature. The overseers of the poor (township trustees) may, with the consent of the county judge, indorsed on indentures, bind out the child of any pauper supported in whole or in part by the county, and any child whose parents abandon or neglect or are unable to support it. They may also bind out a child having neither father, mother, nor guardian, and having no sufficient means of support or education, and any white child taken from any asylum in any other State and brought into the State of Indiana to be bound. The board of children's guardians of a township may, under the order of the court, bind out children abandoned, neglected, or cruelly treated by their parents; children begging on the streets; children of habitually drunken, or vicious or unfit parents; children kept in vicious or immoral association; children known by their life and language to be vicious and incorrigible, and juvenile delinquents and truants. Any corporation for the purpose of establishing and maintaining an asylum and home for the care, support, discipline, and education of orphan children, may bind out any inmate who has neither father, mother, nor guardian, or one whose parents has granted to the corporation the authority to bind the child. A minor can be bound out by manual labor schools organized and incorporated under the laws of the State. The superintendent of the female reformatory of the State may bind out a girl committed there during her minority, but only with her consent. A minor over the age of fourteen, having no father, mother, nor guardian, may bind himself, but the consent of the probate judge of the county, to be indorsed on the indentures, is necessary.

Iowa.—A minor may be bound out, with a written consent appended to or indorsed on the indentures by the father; if he is dead, has abandoned his family, or is for any cause incapacitated, then by the mother; if she is dead, or unable, or incapacitated, then by the guardian, or, if no guardian, then by the clerk of the circuit court. If the minor is more than 12 years of age the indentures must be signed by him of his own free will. A pauper minor may be bound out by the clerk of the circuit court without obtaining his assent. Poor children in a poorhouse who are deemed likely to remain a permanent charge on the public may be bound out by the board of supervisors of the county. Children in the State reform school may be bound out by the trustees thereof with the written consent of their parents or guardians, if any.

Kansas.—A minor may bind himself of his own free will. The consent, indorsed on the indentures, is necessary, of the father, or, if he is dead, has no legal capacity to give consent, has willfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard, then of the mother or guardian, and if there is no parent or guardian then of the probate court. An orphan or minor who has no estate sufficient for his maintenance may be bound out by his guardian with the consent of the probate court. An executor, who is directed by the last will of a father to bring up a child to some trade or calling, has the power, with the consent of the mother, if living, to bind the child out. A poor child who is, or may be, chargeable to the county or shall beg for alms, whose parents are poor and the father an habitual drunkard, or, if there be no father, whose mother is of a bad character, or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. Overseers of the poor of townships and cities and superintendents of county asylums shall bind out such poor children as fall under their care and charge. The trus-

tees of the State reform school may bind out any boy committed thereto with his consent.

Kentucky.—A poor orphan and any other child, whose relatives or parents, in the judgment of the court, will not bring them up in moral courses, may be bound out by the county court. Any orphan minor may be bound out by its guardian, or if no guardian, by its mother, with the consent of the county court. The law only provides for the binding as apprentices of the above classes of minors.

Louisiana.—A minor may bind himself as an apprentice. The consent is necessary of a parent, tutor or curator, or, if there be no such person in the parish where the minor resides, then the consent of the mayor of New Orleans, in the parish of New Orleans, or of the parish judges of their respective parishes throughout the State.

Maine.—A minor may be bound out by the father, if living; if not, by the mother or legal guardian. The consent of a minor, who is over 14 years of age, is necessary, and if a minor is bound out prior to that age the indenture will not continue in force beyond that age unless the minor upon reaching it shall give his consent. A minor, having no parent or guardian, may bind himself out with the approbation of the municipal officers of the town where he resides. Overseers of the poor of a town may bind out the minor children of parents chargeable to the town or of those, who, in the opinion of the overseers, are unable to maintain them, and minor children who are themselves chargeable. The trustees of the State reform school may bind out boys committed thereto, and the trustees of the industrial school for girls, girls committed thereto, for a period not exceeding term of confinement.

Maryland.—The orphans' courts in the several counties and the city of Baltimore or any two justices of the peace, or in Somerset county a single justice of the peace, may bind out any orphan child, the increase or profits of whose estate is not sufficient for his maintenance, support, or education, children who are suffering through the indigence or poverty of their parents, children of beggars, illegitimate children and children of persons out of the State to whom sufficient sustenance is not afforded. The trustees of the poor in any county may, in the recess of the orphans' court, bind out the child or children of any pauper or vagrant, but the indentures must within two months thereafter be approved by the orphans' court by indorsement thereon. A minor may be bound out by his father. The directors of the penitentiary and the managers of the house of correction, or any three of them, may bind out the children of female convicts who are brought to or born in said institutions. The House of the Good Shepherd of the city of Baltimore may, with the consent of the minor, bind out such white female children as are committed to the institution. The managers of the House of Reformation may, with the consent of the minor, bind out such children as are committed to said institution. The managers of the House of Refuge may, with the consent of the minor, bind out such white male children as are committed to their care. The managers of the Industrial Home for colored girls may bind out such minors as are committed to their care. In Allegheny County the trustees of the almshouse may bind out any minor child under their charge and dependent on the county for support.

Massachusetts.—A minor may be bound out by the father; if he is dead or incompetent, by the mother or legal guardian, and if illegitimate, by the mother. If the minor is over 14 years, his or her consent is necessary and must be expressed in the indentures and testified by the signature of the minor. A minor child who is, or either of whose parents is, chargeable to a town, may be bound out by the overseers of the poor. A minor who has no parent competent to act and no guardian, may, with the approbation of the selectmen of the town where he resides, bind himself out.

Michigan.—A minor may bind himself out. The consent, indorsed on the indentures, is necessary of the father, or, if the father is dead, not in legal capacity to give his consent, or if he shall have abandoned and neglected to provide for his family, then of the mother, or, if she is dead or not in legal capacity to give or refuse such consent, then of the guardian, or, if there is no guardian, then of any two justices of the peace of the township, of the recorder of the city, or of the circuit or probate judge of the county. The county superintendents of the poor can bind out a child who shall be sent to any county poorhouse, who is, or who shall become, chargeable, in whole or in part, to the county, or whose parent or parents shall become so chargeable.

Minnesota.—A minor can be bound out by the father; if the father is dead or incompetent, by the mother or legal guardian, and if illegitimate, he may be bound *out by the mo*ther. The consent of a minor who is over 14 years of age is neces*sary and must be expressed* in the indentures and testified by his signing the

same. If there is no parent competent to act and no guardian, minor may bind himself, but must have the approbation of the county commissioners of the county where he resides. A minor chargeable upon a county for support may be bound out by the board of county commissioners of said county. The managers of the State reform school may, with the consent of the minor, bind out a minor committed to their care.

Mississippi.—The law provides only for the binding out of poor orphan children and children whose parents are unable to support them. They can be bound out by the supervisor of the proper district under the direction of the board of supervisors of the county.

Missouri.—A minor may be bound out by the father, or, in case of his death, incompetency, when he shall have willfully abandoned his family for six months without making suitable provision for their support, or has become an habitual drunkard, then by the mother or legal guardian. If illegitimate, a minor may be bound out by the mother. When a minor who is over 14 years of age is bound out by a parent or guardian, the consent of said minor is necessary and must be expressed in the indentures and testified by his signing the same. An executor who is directed in the will of the father to bring up a child to some trade or calling may bind said child out in like manner as the father could have done. A poor child who is, or may be, chargeable to the county, or who shall beg for alms, or whose parents are poor and the father is an habitual drunkard, or whose father is dead and the mother is of bad character or suffers her children to grow up in habits of idleness without any visible means of obtaining an honest livelihood, may be bound out by the probate court. An orphan minor who has not estate sufficient for his maintenance may be bound out by his guardian under direction of the probate court.

Montana.—The law provides only for the binding out of a minor under 15, or of any other person who shall become, or is likely to become, chargeable to the county either because of being an orphan, or because the parents or other relatives are unable or refuse to support them. They can be bound out by the county commissioners.

Nevada.—A minor may be bound out by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the board of county commissioners of the county or by the district judge of the district in which the child resides.

New Hampshire.—A minor may be bound out by the father, or, if he be dead, by the mother or guardian. If the minor is over 14 years of age his consent is necessary and must be expressed in the indentures and testified by his signing the same. If a minor has no parent or guardian he may bind himself out, with the approbation of the selectmen or overseers of the poor of the town where he resides. Overseers of the poor in any town may bind out all children who are not employed in some lawful business and whose parents are unable or neglect to maintain them. The county commissioners may bind out any minor chargeable or likely to be chargeable to the county. Trustees of the reform school may bind out any scholar of said school.

New Jersey.—A minor may bind himself out of his own free will and accord. The consent of the father is necessary, or, if he is dead, of the mother or guardian. The consent of the mother is necessary also where the consent of the father or guardian is obtained. Said consent must be expressed in the indentures and testified by the party signing and sealing the same. The overseers of the poor or any two of them, with the approbation of two justices of the peace of any county or township, may bind out any poor child, children who have no parents, children whose parents shall apply to the overseers for relief, and the child or children of any poor parents who shall bring up their said children in sloth, idleness and ignorance, and who, upon advice and direction given by the overseers, shall for three months after said advice and direction refuse or neglect to bind out their children. The trustees of the reform school may bind out boys committed to said school. The trustees of the industrial school for girls may bind out girls therein. The president of a board of trustees of a poorhouse with the consent of a majority of the board, or, where no trustees are appointed, the director of the board of chosen freeholders, with the consent of a majority of said board, may bind out poor children who are chargeable upon the county.

New Mexico.—A minor may be bound out by the father, or, if the father is dead and no guardian has been appointed, by the mother. Guardians, under direction of probate court, may bind out orphan minors who have not sufficient estates for their maintenance and education nor friends or relatives willing to incur the expense of the same. In the above cases the indentures must be approved by the probate court. Judge of probate may bind out children who are poor orphans or whose parents have not the means of maintaining them or who

willfully neglect to support and educate them, and children who are poor and whose parent or parents shall be sentenced to confinement in jail or prison for a term of five years or more.

New York.—A minor may bind himself out of his own free will. The consent is necessary of the father, or if he be dead, not in a legal capacity to give his consent, or shall have abandoned and neglected to provide for his family, and such fact be certified by a justice of the peace of the town and indorsed on the indentures, then of the mother; or, if she be dead or not in legal capacity to give such consent, then of the guardian; or, if both parents are dead or not in legal capacity to give consent and there be no guardian, then of the overseers of the poor, or any two justices of the peace of the town or any judge of the county courts of the county where the minor resides. Executors, directed in the last will of the father to bring up a child to some trade or calling, may bind said child out. County superintendents of the poor and overseers of the poor of any town or city may bind out children who shall be sent to any county, town, or city house, or who or whose parents are, or shall become, chargeable to said county, town, or city. The overseers of the poor must have the consent in writing of any two justices of the peace of the town, or of the mayor, recorder, and aldermen of any city or of any two of them. The consent of the minor's legal guardian or guardians is necessary in all the above cases. Societies or associations incorporated for the purpose of taking care of and protecting destitute infant minor children may with the consent, expressed in writing on the indentures, of any justice of the supreme court, or of the county judge in the county where such society or association may be situated, bind out any such child or children, of the age of 8 years and upward, who have been in their care and keeping for three months.

North Carolina.—A minor above the age of 14 and under 21 years being a male, and 18 being a female, whether indigent or not, may be apprenticed to learn any trade or craft by the father, or, if he is dead, incompetent, has willfully abandoned his family for six months without making suitable provisions for their support, or has become an habitual drunkard, by the mother or legal guardian. If illegitimate such child may be bound by the mother. If said minor has no parents competent to act and no guardian he may bind himself, with the approbation of a superior court clerk of the county where he resides. The consent of such minor is necessary and must be expressed in the indenture and testified to by signing the same. A minor over 14 can also be apprenticed to learn a trade or craft by orphan asylums or charitable institutions organized and incorporated for the purpose of taking care of indigent children. Indigent children are defined to be as follows: All orphans whose estates are of so small value that no person will educate and maintain them for the benefits thereof; all infants whose fathers have deserted their families and been absent six months, leaving them without sufficient support; any poor child who is or may be chargeable to the county or shall beg alms; any child who has no father and the mother is of bad character or suffers her children to grow up in habits of idleness without visible means of obtaining an honest livelihood; and all children whose parents do not habitually employ their time in some honest, industrious occupation. Such indigent children may be bound out by the superior court clerk of the county where they reside.

North Dakota.—A minor may bind himself out. The consent is necessary of both the father and mother; if the father is dead, of the testamentary guardian or executor, or, if no such guardian or executor has been appointed, then of the mother; if the father lacks capacity to consent or has abandoned or neglected to provide for his family, of the mother; if the mother is dead or lacks capacity to consent, of the father; if there is no parent of capacity to consent and no executor, of the guardian; if there is no such parent, executor, or guardian, then of the officers of the poor of the town or county, of any two justices of the peace of the county, or of the probate judge. A child who is, or whose parents are, chargeable to a county or city poorhouse, or who is in such poorhouse, may be bound out by the proper officers of the poor with the written consent of a justice of the peace.

Ohio.—A minor may be bound out by the father, or, in case of his death or inability, by the mother or guardian. An orphan or destitute child may be bound out by the trustees of a township or by the officers of an orphan asylum wherein he is placed.

Oregon.—A minor may be bound out by the father, or, if he is dead or incompetent, by the legal guardian; if illegitimate, by the mother, and if there is no parent competent to act and no guardian, he may bind himself out with the approbation of the county court of the county where he resides. The consent of the minor who is above 14 years of age, bound out by a parent or guardian, is *necessary* and must be expressed in the indentures and testified by his signing

the same. The county court may bind out a child who is, or whose parents are, chargeable to the county. The superintendent of the reform school may, with the consent of the minor, bind out any minor committed to said institution.

Pennsylvania.—Minors may be bound out with the assent of a parent, guardian, next friend, or of the overseers of the poor and approbation of any two justices. The justices of the orphans' court in the respective counties shall have full power, at the instance and request of executors, administrators, guardians, or tutors, to order and direct the binding out of minors. The overseers of the poor may, with the approbation and consent of two or more magistrates of the same county, bind out any poor child whose parents are dead or are found by said magistrates to be unable to maintain it. All corporations organized for the purpose of providing homes for friendless or destitute children, may bind out a child committed to their charge, whose maintenance is unprovided for by its parents or guardians. The directors of almshouses may bind out any child in their charge. The managers of the House of Refuge of Philadelphia and of the House of Refuge of western Pennsylvania may bind out, with the consent of the minor, any minor committed to their care.

Rhode Island.—A minor may be bound out by the father, or, if he is dead, by the mother when sole; or, being under the age of 14, by the legal guardian. A minor, if 14 years of age and having no parent, may bind himself out with the approbation of his guardian, or, if he has no guardian, by and with the approbation of the town council of the town where he resides. The overseers of the poor of a town, with the advice and consent of the town council, may bind out children of parents who are lawfully settled in and have become chargeable to the town; children of parents so settled, whose parents, whether they receive alms or are chargeable or not, shall be deemed by said overseers unable to maintain them; children of parents residing in the town who are there supported at the charge of the State; children of parents or a parent, residing in a town, who have no legal settlement in the State and are adjudged by the town council to be unable to maintain them, and children in a town without estate sufficient for their maintenance, who have no parents residing therein, and who have no legal settlement in the State. Such children may be bound out to any citizen or to any incorporated institution for the care of children, of the State or of the States of Massachusetts or Connecticut, to the Providence Children's Friend Society, to the Home for Friendless Children in Newport, or to the Providence Shelter for Colored Children.

South Carolina.—A minor may be bound out with the approbation of the father, mother, or guardian, or, if the minor has neither father, mother, nor guardian, of the grandfather, grandmother, or brother, sister, uncle, or aunt of mature age, in the order as above, or, if the minor has none of the above relatives, of the trial justice. Said approbation must be certified on the indentures by a trial justice under his hand and seal. A poor child chargeable to a county, and an illegitimate child likely to become chargeable to a county or to become demoralized by the vicious conduct and evil example of its mother or other person having charge of it, may be bound out by the county commissioners.

South Dakota.—The same as North Dakota, above.

Tennessee.—The county court may bind out, in the name of the State, an orphan whose estates are of so small value that no person will educate or maintain him for the profits thereof, a base-born child, and any child totally abandoned by the father and for whom he fails to provide support and maintenance. In the last case above, the consent of the mother must be given in open court unless she is unable to provide for the maintenance of the child. The law does not provide for the binding out as apprentices of any other classes of children than those mentioned above.

Texas.—The county court may bind out an orphan who is without sufficient estate for his maintenance and education, a child whose parents have suffered him to become a charge upon the county, and a child whose parents, not being a charge on the county, shall consent in writing to his apprenticeship, which consent shall be signed by them and filed and entered of record in such court.

Utah.—A minor may be bound out by a parent or guardian, and if the minor is over 12 years of age the indentures must also be signed by him. The probate court or selectmen may bind out an idle, vicious, or vagrant minor child without its consent and without the consent of its parents or guardians, if said parents or guardians neglect, refuse, or otherwise fail in properly controlling the actions and education of such child, and do not train it up in some useful avocation; also a child whose parents, from habitual drunkenness and vicious and brutal conduct, etc., are not deemed suitable persons to retain the guardianship or control the education of it.

Vermont.—A minor may be bound out by the father, or, if he is dead or incom-

petent, by the mother or legal guardian, or, if there is no parent competent to act and no guardian, he may bind himself with the approbation of the selectmen of the town where he resides. If illegitimate it may be bound by its mother, but the power of a mother to bind out her children, whether legitimate or illegitimate, shall cease upon her subsequent marriage. If a minor, bound as above, is over 13 years of age, his consent is necessary and must be expressed in the indentures and testified by his signing it. The overseers of the poor may bind out the minor children of a poor person who has become chargeable to a town, or who is supported in whole or in part at the charge of such town, and minor children who are themselves chargeable to the town. The trustees of the reform school may bind out children committed to said school.

Virginia.—A minor may be bound out by the guardian, or, if none, by the father, or, if neither, by the mother. The consent, entered of record, of the court of the county or corporation in which the minor resides is necessary unless the minor, being 14 years of age, gives his consent in writing. An incorporated association, asylum, or school instituted for the support and education of destitute children, may bind out such children as have been placed in its charge. Overseers of the poor of a county or corporation may, if allowed by order of a court thereof, bind out any minor found begging in such county or corporation, or who is likely to become chargeable thereto.

Washington.—The county commissioners may bind out a minor likely to become chargeable to the county, either because of its being an orphan or because its parents or other relatives are unable or refuse to support it. No other law on the subject of apprentices appears in the code or acts of the State.

West Virginia.—A minor may be bound out by the father, if none, by the guardian, or, if neither, by the mother. The consent, entered of record, of the county court of the county where the minor resides is necessary, unless the minor, being 14 years of age, gives his consent in writing. The clerk of a county may bind out any minor who is found begging therein or who is likely to become chargeable thereto.

Wisconsin.—A minor may bind himself out of his own free will. The consent is necessary of the father, or, if he is dead or not in legal capacity to give consent or shall have abandoned and neglected to provide for his family and such fact be certified by a justice of the peace of the town and indorsed on the indentures, then, of the mother; if she is dead or not in a legal capacity to give consent, then by the guardian; if there are no parents living or none in legal capacity to give consent and no guardian, then by the supervisors or any two justices of the peace of the town where the minor resides. If a minor is illegitimate the consent of the mother is necessary whether its putative father is living or not. The managers of the industrial school for boys may bind out those committed to their care with the consent of their parents or guardians, if they have any.

PERSONS OF FULL AGE.

Delaware.—Only immigrants can so be bound, and the consent of a justice of the peace to such binding is necessary.

Georgia.—Persons of full age may bind themselves out.

Louisiana.—Persons over twenty-one years of age may bind themselves out.

TERM FOR WHICH APPRENTICE MAY BE BOUND.

[See notes, pp. 41-43.]

In the States and Territories noted below no apprentice can be bound for a longer term than:

Males—Until 21 years of age—Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin.

Males—Until 18 years of age—Connecticut, Iowa, Kansas, Nevada.

Males—Until 16 years of age—Illinois.

Males—Until 14 years of age—Massachusetts, Minnesota, New Hampshire, Oregon.

Males—For a period of not more than one year—California, New York, North Dakota, South Dakota.

Males—For a period of not more than five years—Delaware, Georgia, Louisiana, New York, North Carolina.

Males—For term for which committed to reformatory institution—Maine, New Hampshire, Vermont.

Females—Until 21 years of age—Georgia, Tennessee.

Females—Until 18 years of age—Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Iowa, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin.

Females—Until 16 years of age—Connecticut, Florida, Illinois, Iowa.

Females—Until 15 years of age—Nevada.

Females—Until 14 years of age—Massachusetts, Minnesota, New Hampshire, Oregon.

Females—For a period of not more than one year—California, New York, North Dakota, South Dakota.

Females—For a period of not more than five years—Delaware, Georgia, Louisiana, New York, North Carolina.

Females—For term for which committed to a reformatory institution—Connecticut, Maine, New Hampshire, Vermont.

NOTES.

The limitations on the application of the term in the States and Territories where such limitations exist are as follows:

MALES—UNTIL 21 YEARS OF AGE.

California.—Applies except in case of minors capable of becoming citizens of the State, and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.

Connecticut.—Applies except in case of the binding out of Indian children.

Delaware.—Applies except in case of the binding out of an immigrant of full age.

Georgia.—Applies except in case of the binding out of a person of full age.

Iowa.—Or until marriage within said age. Applies except in the case of the binding out of minor inmates of poorhouses.

Kansas.—Applies only in case of the binding out of inmates of the reform school.

Louisiana.—The same as Georgia, above.

Maine.—Applies except in case of the binding out of inmates of the reform school.

Massachusetts.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.

Minnesota.—The same as Massachusetts, above.

New Hampshire.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves, and of the binding out of inmates of the reform school.

New York.—Provided, that the term must not be for more than five nor less than three years. Applies except in case of minors capable of becoming citizens of the State and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.

North Carolina.—Applies only in case of the binding out of indigent children by the clerks of the superior courts.

North Dakota.—The same as California, above.

Oregon.—The same as Massachusetts, above.

South Dakota.—The same as California, above.

Utah.—Or until marriage within said age.

Vermont.—The same as Maine, above.

Virginia.—Applies except in case of the binding out of a minor, placed, for a time agreed on in writing, in an incorporated association, asylum, or school. In such a case the minor can only be bound out for the period for which placed in such institution.

MALES—UNTIL 18 YEARS OF AGE.

Connecticut.—Applies only in case of the binding out of an Indian child.

Iowa.—Applies only in case of the binding out of minor inmates of poorhouses.

Kansas.—Applies except in case of the binding out of inmates of the reform school.

MALES—UNTIL 14 YEARS OF AGE.

Massachusetts.—Applies only in case of the binding out of children under 14 years of age by the parents or guardians or by themselves.

Minnesota.—The same as Massachusetts, above.
New Hampshire.—The same as Massachusetts, above.
Oregon.—The same as Massachusetts, above.

MALES—FOR A PERIOD OF NOT MORE THAN ONE YEAR.

California.—Applies only in case of minors capable of becoming citizens of the State and coming from any other country, State, or Territory, and binding themselves out for the purpose of paying for their passage. In such a case a minor may bind himself out for the term of one year, even if said term extends beyond the date of his majority.
New York.—The same as California, above.
North Dakota.—The same as California, above.
South Dakota.—The same as California, above.

MALES—FOR A PERIOD OF NOT MORE THAN FIVE YEARS.

Delaware.—Applies only in case of the binding out of an immigrant of full age.
Georgia.—Applies only in case of the binding out of a person of full age.
Louisiana.—The same as Georgia, above.
New York.—Nor for a shorter term than three years. Applies except in case of the binding out of children by societies or associations incorporated for the purpose of taking care of and protecting destitute minor children and of the binding of immigrant minors for the purpose of paying their passage.
North Carolina.—Nor for a shorter term than three years. Applies except in case of the binding out of indigent children by the clerks of the superior courts.

MALES—FOR TERM FOR WHICH COMMITTED TO REFORMATORY INSTITUTION.

Maine.—Applies only in case of the binding out of inmates of the reform school.
New Hampshire.—The same as Maine, above.
Vermont.—The same as Maine, above.

FEMALES—UNTIL 21 YEARS OF AGE.

Georgia.—Applies except in case of the binding out of any person of full age.
Tennessee.—Applies only in case of the binding out of a base-born child.

FEMALES—UNTIL 18 YEARS OF AGE.

California.—Applies except in case of minors, capable of becoming citizens of the State and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.
Colorado.—Or until marriage within said age.
Connecticut.—Or until marriage within said age. Applies except in case of the binding out of Indian children and of inmates of the Industrial School for Girls.
Delaware.—Applies except in case of the binding out of an immigrant of full age.
Florida.—Applies except in case of the binding out of poor orphans.
Iowa.—Or until marriage within said age. Applies except in case of the binding out of minor inmates of poorhouses.
Indiana.—The same as Colorado, above.
Louisiana.—Applies except in case of the binding out of any person of full age.
Maine.—Or until marriage within said age. Applies except in case of the binding out of inmates of the Industrial School for Girls.
Massachusetts.—Or until marriage within said age. Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.
Michigan.—The same as Colorado, above.
Minnesota.—The same as Massachusetts, above.
Missouri.—The same as Colorado, above.
New Hampshire.—The same as Massachusetts, above.
New York.—Provided, that the term must be for not more than five nor less than three years. Applies except in case of minors capable of becoming citizens of the State, and coming from any other country, State, or Territory, binding themselves out for the purpose of paying for their passage.
North Carolina.—Applies only in case of the binding out of indigent children by the clerks of the superior courts.
North Dakota.—The same as California, above.
Oregon.—Applies except in case of the binding out of children under 14 years of age by parents or guardians or by themselves.
Rhode Island.—The same as Colorado, above.

South Carolina.—The same as Colorado, above.
South Dakota.—The same as California, above.
Tennessee.—Applies except in case of the binding out of a base-born child.
Texas.—The same as Colorado, above.
Utah.—The same as Colorado, above.
Vermont.—Or until marriage within said age. Applies except in case of the binding out of inmates of the reform school.
Virginia.—Applies except in case of the binding out of a minor, placed, for a time agreed on in writing, in an incorporated association, asylum, or school. In such a case the minor can only be bound out for the period for which placed in such institution.
Wisconsin.—The same as Colorado, above.

FEMALES—UNTIL 16 YEARS OF AGE.

Connecticut.—Or until marriage within said age. Applies only in case of the binding out of an Indian child.
Florida.—Applies only in case of the binding out of poor orphans.
Iowa.—Or until marriage within said age. Applies only in case of the binding out of minor inmates of poorhouses.

FEMALES—UNTIL 14 YEARS OF AGE.

Massachusetts.—Applies only in case of the binding out of children under 14 years of age by the parents or guardians, or by themselves.
Minnesota.—The same as Massachusetts, above.
New Hampshire.—The same as Massachusetts, above.
Oregon.—The same as Massachusetts, above.

FEMALES—FOR A PERIOD OF NOT MORE THAN ONE YEAR.

California.—Applies only in case of minors, capable of becoming citizens of the State, and coming from any other country, State, or Territory, and binding themselves out for the purpose of paying for their passage. In such a case a minor may bind herself out for the term of one year, even if said term extends beyond the date of her majority.
New York.—The same as California, above.
North Dakota.—The same as California, above.
South Dakota.—The same as California, above.

FEMALES—FOR A PERIOD OF NOT MORE THAN FIVE YEARS.

Delaware.—Applies only in case of the binding out of an immigrant of full age.
Georgia.—Applies only in case of the binding out of a person of full age.
Louisiana.—The same as Georgia, above.
New York.—Nor for a shorter term than three years. Applies except in case of the binding out of children by societies or associations incorporated for the purpose of taking care of and protecting destitute minor children, and of the binding of immigrant minors for the purpose of paying their passage.
North Carolina.—Nor for a shorter term than three years. Applies except in case of the binding out of indigent children by the clerks of the superior courts.

FEMALES—FOR TERM FOR WHICH COMMITTED TO A REFORMATORY INSTITUTION.

Connecticut.—Applies only in case of the binding out of inmates of the Industrial School for Girls.
Maine.—The same as Connecticut, above.
New Hampshire.—Applies only in case of the binding out of inmates of the reform school.
Vermont.—The same as New Hampshire, above.

UNLAWFUL ACTS AFFECTING APPRENTICES.

[See notes, p. 44.]

In the States and Territories noted below the following-described acts are expressly declared to be unlawful:

To entice, persuade, etc., an apprentice to leave or run away from service.—Alabama, Arkansas, California, Connecticut, Florida, Illinois, Kansas, Kentucky, Maryland, Missouri, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Virginia.

To knowingly harbor, conceal, or employ an apprentice who has run away from service.—Alabama, Arkansas, California, Delaware, Florida, Kansas, Kentucky, Maryland, Missouri, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia.

To furnish apprentice with food and clothing or to give or sell him ardent spirits without written consent of his master.—Alabama.

To deal with apprentice without consent of his master or to knowingly encourage him to disobey his master's lawful orders or to neglect his business.—Delaware.

For master to remove apprentice out of State.—Colorado, Delaware, Illinois, Kansas, Louisiana, Maine, Missouri, North Carolina, Tennessee, Texas, Virginia, West Virginia.

For master to compel apprentice to work more than ten hours per day without additional compensation.—Indiana.

To accept from an apprentice any contract or agreement, or to cause him to be bound by oath or otherwise that, after his term of service expired, he shall not set up his trade, profession, or employment, in any particular place, shop, house, or cellar, or to exact from an apprentice, after his term of service expired, any money or other thing, for using and exercising his trade, profession, or employment in any place.—New York, North Dakota, South Dakota, Wisconsin.

Either in an individual capacity or as a member of any association, to attempt by any unlawful means whatever, to prevent any mechanic, employer, or person having charge of any manufacturing business, from taking as an apprentice any minor whose parents or guardians are desirous of apprenticing him, or, there being no parents or guardians, who is himself desirous of being apprenticed.—Pennsylvania.

NOTES.

The limitations to the application of some of the above provisions in certain of the States are as follows:

TO KNOWINGLY HARBOR, CONCEAL, OR EMPLOY AN APPRENTICE WHO HAS RUN AWAY FROM SERVICE.

Alabama.—Only declared unlawful to employ.
Arkansas.—Only declared unlawful to conceal.
Florida.—Only declared unlawful to harbor.
Kansas.—Only declared unlawful to harbor and conceal.
Maryland.—The same as Florida, above.
Missouri.—The same as Kansas, above.
Nevada.—The same as Kansas, above.
New Hampshire.—The same as Arkansas, above.
New Jersey.—The same as Kansas, above.
Ohio.—The same as Kansas, above.
Pennsylvania.—Only declared unlawful to harbor and conceal, and to be unlawful the harboring or concealing must be for a space of twenty-four hours.
West Virginia.—The same as Kansas, above.

FOR MASTER TO REMOVE APPRENTICE OUT OF STATE.

Delaware.—Except with the assent of father or guardian, or, if apprentice has neither, with his own assent, if he is over 14 years of age, together with the approbation of a judge of the State or of two justices of the peace. Also except when an apprentice is bound to a mariner or waterman to learn the business, or to a person occupying land through which the State line runs, etc.
Illinois.—Except with the assent of the county court.
Tennessee.—Master can not remove apprentice out of the county in which he was bound without his consent and the assent of the court.
Texas.—The same as Tennessee, above.
Virginia.—The same as Tennessee, above.
West Virginia—The same as Tennessee, above.

OTHER PROVISIONS.

[See notes, p. 45.]

In the States and Territories noted below, the following provisions appear in the statutes:

Death of master discharges apprenticeship.—California, Colorado, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, Oregon, Rhode Island, Texas, Utah, Vermont, Wisconsin.

Death of master does not discharge apprenticeship.—North Dakota, South Carolina, South Dakota.

Removal of master from State or Territory discharges apprenticeship.—Indiana, Iowa, Utah.

Master has power to enforce obedience and good behavior.—Alabama, Delaware, Georgia, Texas.

All considerations of money, clothes, etc., paid or allowed by the master are the sole property of the apprentice.—California, Illinois, Indiana, Maine, Massachusetts, Michigan, Minnesota, Nevada, Ohio, Rhode Island, Vermont, Wisconsin.

No minor can be apprenticed to anyone who is not competent to act as his guardian, or to anyone who is not at the time a resident of the county in which the minor resides.—Texas.

NOTES.

The limitations to the application of some of the above provisions in certain of the States are as follows:

DEATH OF MASTER DISCHARGES APPRENTICESHIP.

Iowa.—Unless otherwise provided for in indentures, or unless apprentice elects to continue in his service.

New Hampshire.—Unless, the apprenticeship having nearly expired, the apprentice chooses to complete his term of service with the widow, executor, or administrator of his master.

DEATH OF MASTER DOES NOT DISCHARGE APPRENTICESHIP.

North Dakota.—Executors or administrators may assign indentures with the written consent of the apprentice, acknowledged before a justice of the peace. If apprentice refuses such consent the probate or district court may authorize such assignment without his consent.

South Carolina.—The unexpired term of service shall be deemed assets in the hands of the executors or administrators of the master, and they may retain apprentice in their own service or may assign the unexpired term, if the consent of the party or parties whose approbation is necessary to the binding out of the minor in the first instance can be procured.

South Dakota.—The same as North Dakota, above.

REMOVAL OF MASTER FROM STATE OR TERRITORY DISCHARGES APPRENTICESHIP.

Iowa.—Unless otherwise provided for in indentures, or unless apprentice elects to continue in his service.

MASTER HAS POWER TO ENFORCE OBEDIENCE AND GOOD BEHAVIOR.

Alabama.—By such moderate corporal chastisement as a father or guardian is allowed to inflict at common law.

Delaware.—By moderate correction and by suitable and sufficient means.

Georgia.—By using only the same degree of force as a father may use with his minor child.

Texas.—By such moderate corporal chastisement as may be necessary and proper.

ALL CONSIDERATIONS OF MONEY, CLOTHES, ETC., PAID OR ALLOWED BY THE MASTER ARE THE SOLE PROPERTY OF THE APPRENTICE.

California.—They must be paid or given only to the apprentice.

Illinois.—They must be secured to and for the sole use and benefit of apprentice.

Indiana.—"All valuable agreements on the part of the master shall be for the benefit of the apprentice."

Maine.—The same as California, above.

Massachusetts.—They must be paid to, or secured to the sole use of, the apprentice.

Michigan.—The same as Massachusetts, above.

Minnesota.—The same as Massachusetts, above.

Nevada.—The same as Massachusetts, above.

Ohio.—The same as Massachusetts, above.

Rhode Island.—The same as Massachusetts, above.
Vermont.—The same as Massachusetts, above.
Wisconsin.—The same as Massachusetts, above.

PERSONS, ETC., EMPOWERED TO BIND OUT MINORS.

[See notes, pp. 46, 47.]

The following persons, and officers of courts, of charitable and reformatory institutions, etc., are empowered (under certain conditions) to bind minors as apprentices in the States and Territories noted below:

Executors who are directed by the last will of the father to bring up a child to some trade or calling.—California, Illinois, Kansas, Missouri, New York.

Fathers.—Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Maine, Maryland, Masssachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oregon, Rhode Island, Utah, Vermont, Virginia, West Virginia.

Guardians.—Arkansas, California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kansas, Kentucky, Maine, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oregon, Rhode Island, Utah, Vermont, Virginia, West Virginia.

Minors themselves.—California, Colorado, Connecticut, Delaware, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Dakota, Oregon, Rhode Island, Vermont, Wisconsin.

Mothers.—Alabama, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oregon, Rhode Island, Utah, Vermont, Virginia, West Virginia.

Officers in charge of the poor.—Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington.

Officers of charitable institutions.—Indiana, New York, North Carolina, Ohio, Pennsylvania, Virginia.

Officers of courts.—California, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Maryland, Missouri, Nevada, New Mexico, North Carolina, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, West Virginia.

Officers of manual-labor schools.—Indiana.

Officers of reformatory institutions.—Connecticut, Indiana, Iowa, Kansas, Maine, Maryland, Minnesota, New Hampshire, New Jersey, Oregon, Pennsylvania, Vermont, West Virginia.

NOTES.

The specific designations of the various classes of officers empowered to bind out minors are as follows:

OFFICERS IN CHARGE OF THE POOR.

Colorado.—County superintendent of the poor.
Connecticut.—Selectmen of a town and overseers of an Indian tribe.
Delaware.—Any two trustees of the poor.
Illinois.—Overseers of the poor and county commissioners.
Indiana.—Overseers of the poor (township trustees) and boards of children's guardians of townships.
Iowa.—County supervisors.
Kansas.—Overseers of the poor and superintendents of county asylums.
Maine.—Overseers of the poor.
Maryland.—Trustees of the poor and also, in Allegany County, the trustees of the almshouse.
Massachusetts.—The same as Maine, above.
Michigan.—The same as Colorado, above.
Minnesota.—County commissioners.
Mississippi.—The same as Iowa, above.
Montana.—The same as Minnesota, above.
Nevada.—The same as Minnesota, above.
New Hampshire.—The same as Illinois, above.

New Jersey.—Overseers of the poor, president of the board of trustees of the poorhouse, and directors of board of chosen freeholders.
New York.—Overseers of the poor and county superintendents of the poor.
North Dakota.—The proper officers of the poor.
Ohio.—Trustees of a township.
Pennsylvania.—Overseers of the poor and directors of an almshouse.
Rhode Island.—The same as Maine, above.
South Carolina.—The same as Minnesota, above.
South Dakota.—The same as North Dakota, above.
Utah.—Selectmen of a town.
Vermont.—The same as Maine, above.
Virginia.—The same as Maine, above.
Washington.—The same as Minnesota, above.

OFFICERS OF CHARITABLE INSTITUTIONS.

Indiana.—Of orphan asylums.
New York.—Of societies or associations incorporated for the purpose of taking care of and protecting destitute infant minor children.
North Carolina.—Of orphan asylums and other charitable institutions organized and incorporated for the purpose of taking care of indigent children.
Ohio.—The same as Indiana, above.
Pennsylvania.—Of institutions organized for the purpose of providing for friendless and destitute children.
Virginia.—Of associations, asylums, or schools incorporated for the support and education of destitute children.

OFFICERS OF COURTS.

California.—Judges of superior court.
Delaware.—Any two justices of the peace.
Florida.—Judge of the county court.
Georgia.—Judge of the county court or the ordinary.
Iowa.—Clerk of circuit court.
Kansas.—Judge of probate court.
Kentucky.—The same as Florida, above.
Maryland.—Judge of orphans' court and any two justices of the peace.
Missouri.—The same as Kansas, above.
Nevada.—Judge of the district court.
New Mexico.—The same as Kansas, above.
North Carolina.—Clerk of the superior court.
Oregon.—The same as Florida, above.
Pennsylvania.—The same as Maryland, above.
South Carolina.—Trial justice.
Tennessee.—The same as Florida, above.
Texas.—The same as Florida, above.
Utah.—The same as Kansas, above.
West Virginia.—Clerk of a court.

OFFICERS OF REFORMATORY INSTITUTIONS.

Connecticut.—Trustees of Reform School and directors of Industrial School for Girls.
Indiana.—Superintendent of Female Reformatory.
Iowa.—Trustees of Reform School.
Kansas.—The same as Iowa, above.
Maine.—Trustees of Reform School and trustees of Industrial School for Girls.
Maryland.—Directors of the Penitentiary and the managers of the House of Correction, of the House of the Good Shepherd, of the House of Reformation, of the House of Refuge, and of the Industrial Home for Colored Girls.
Minnesota.—Managers of Reform School.
New Hampshire.—The same as Iowa, above.
New Jersey.—The same as Maine, above.
Oregon.—Superintendent of Reform School.
Pennsylvania.—Managers of House of Refuge of Philadelphia and of the House of Refuge of Western Pennsylvania.
Vermont.—The same as Iowa, above.
West Virginia.—Managers of Industrial School for Boys.

DUTIES OF THE MASTER.

[See notes, pp. 48-50.]

In the States and Territories noted below the duties of the master, which are expressly declared, are as follows:

To give apprentice an education.—In Alabama, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

To furnish apprentice, during term of service, with certain things.—In Alabama, Colorado, Delaware, Georgia, Iowa, Kentucky, Maryland, Mississippi, Nevada, New Mexico, New York, North Carolina, Tennessee, Texas, and Utah.

To furnish apprentice, at expiration of term of service, with certain things.—In Alabama, California, Colorado, Delaware, Florida, Georgia, Illinois, Kansas, Kentucky, Mississippi, Missouri, Nevada, New York, North Carolina, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin.

To teach, or cause to be taught, to apprentice the trade, etc., to which indentured.—In Alabama, Arkansas, California, Colorado, Florida, Georgia, Maryland, New Hampshire, New Mexico, New York, North Carolina, Texas, Virginia, and West Virginia.

To treat apprentice humanely.—In Alabama, Georgia, Kentucky, Mississippi, New Mexico, and Texas.

NOTES.

The exact terms of the laws regarding the duties of the master are, where varying from the general statements of said duties above, as follows:

TO GIVE APPRENTICE AN EDUCATION.

Alabama.—An apprentice under 15 years of age must be taught to read and write.

Arkansas.—An apprentice must be sent to school at least one-fourth of his time after he is 7 years old, and must be taught reading, writing, and arithmetic to the rule of three inclusive.

California.—An apprentice must be taught to read and write, the ground rules of arithmetic, and ratio and proportion.

Colorado.—An apprentice must be instructed in the common English branches of education, in some public or other school, at least three months in every year until he shall have arrived at the age of 14 years, and until he shall have received a common school education.

Delaware.—An apprentice must be given a reasonable education in reading and writing.

Florida.—An apprentice must be taught the elements of reading and writing.

Georgia.—An apprentice must be taught habits of industry, honesty, and morality, and to read English.

Illinois.—An apprentice must be taught to read and write, and the ground rules of arithmetic.

Indiana.—An apprentice must be taught to read and write, and the rules of arithmetic to the double rule of three inclusive.

Iowa.—An apprentice must be sent to school, if there is one in the district, at least four months in each year after he becomes 6 years old.

Kansas.—An apprentice must be taught to read and write, the ground rules and compound rules of arithmetic, and the rule of three.

Louisiana.—A minor apprentice must be taught reading, writing, and the fundamental principles of arithmetic.

Maryland.—An apprentice must be given a reasonable education in reading, writing, and arithmetic.

Massachusetts.—A pauper minor bound out by the overseers of the poor must be taught to read, write, and cipher, and must be given such other instruction as the overseers may deem reasonable.

Michigan.—A pauper minor, bound out by the county superintendent of the poor, must be given a suitable education.

Minnesota.—The same as Illinois, above.

Mississippi.—An apprentice must be sent to school until he learns to read and write, and perform any ordinary calculation incident to the life of a farmer.

Missouri.—An apprentice must be given a common school education.

Montana.—An apprentice must be permitted to attend school, if there is one kept in the district, for such a period of time in each year as may be prescribed in the indentures.

Nevada.—A male apprentice, being bound to serve five years or more, must be taught to read and write the English language, the rules and principles of common English grammar, and arithmetic to and including the single rule of three. A female apprentice, being bound to serve four years or more, must be taught to read and write the English language and the first four rules of arithmetic.

New Hampshire.—The same as Massachusetts, above.

New Mexico.—An apprentice must be sent to school at least three months in each year after becoming 9 years old.

New York.—An apprentice must be taught to read and write, and a male apprentice must also be taught the general rules of arithmetic.

North Carolina.—Indigent children, bound out by clerks of superior courts, must be taught to read and write and the rules of arithmetic to the double rule of three.

North Dakota.—An apprentice must be taught to read and write and the general rules of arithmetic, or must be sent to school three months in each year for the period of the indenture.

Ohio.—An apprentice must be sent to school at least three months in each year after becoming 8 years old.

Oregon.—A pauper minor, bound out by the county court, must be taught to read, write, and cipher, and must be given such other instruction as the court may deem reasonable.

Rhode Island.—An apprentice must be given instruction in reading, writing, and ciphering, and such other instruction as may be fit and reasonable.

South Dakota.—The same as North Dakota, above.

Tennessee.—An apprentice must be taught to read, write, and cipher as far as the rule of three.

Texas.—An apprentice must, if practicable, be sent to school at least three months in each year during the continuance of the apprenticeship and while he is within the scholastic age.

Utah.—An apprentice must be sent to school while between the ages of 6 and 16, three months in each year, if there is a school in the district or vicinity.

Virginia.—An apprentice must be taught reading, writing, and common arithmetic, including the rule of three.

West Virginia.—An apprentice must be taught reading, writing, and common arithmetic.

Wisconsin.—An apprentice must be taught to read and write, and the general rules of arithmetic, and must be given such other instruction as may be agreed upon.

TO FURNISH APPRENTICE, DURING TERM OF SERVICE, WITH CERTAIN THINGS.

Alabama.—Good and wholesome provisions, and all necessary clothing, washing, lodging, and medical attention.

Colorado.—Suitable clothing, food, and attention in sickness and health.

Delaware.—Proper support and clothing.

Georgia.—Protection, wholesome food, suitable clothing, and necessary medicine and medical attention.

Iowa.—Clothing such as will clothe apprentice in a comfortable and becoming manner.

Kentucky.—Proper medical attention, food, and clothing.

Maryland.—Suitable clothing and maintenance.

Mississippi.—A sufficiency of good and wholesome provisions, and necessary clothing, washing, and lodging.

Nevada.—Substantial food and decent wearing apparel to a male minor bound to serve five years or more, and an ample supply of decent clothing and wholesome food to a female minor bound to serve four years or more.

New Mexico.—Clothing, food, and lodging.

New York.—Suitable and proper board, lodging, and medical attention.

North Carolina.—In case of indigent children bound out by clerk of superior

court, diet, clothes, lodging, and accommodation fit and necessary; in case of children over fourteen years of age, bound out to learn a trade or craft, medical attention, lodging, and clothes.

Tennessee.—Diet, clothes, lodging, and accommodations fit and necessary.

Texas.—Sufficient food and clothing, and necessary medicine and medical attention.

Utah.—The same as Iowa, above.

TO FURNISH APPRENTICE, AT EXPIRATION OF TERM OF SERVICE, WITH CERTAIN THINGS.

Alabama.—Two new suits of clothing.

California.—Two new suits of clothes, to be worth at least $60 in gold, and $50 in gold.

Colorado.—A new Bible, two new suits of clothes to be worth each $15, and $25 in current money of the United States.

Delaware.—The same as Alabama, above.

Florida.—A new suit of clothes, blanket, and shoes.

Georgia.—A small allowance with which to begin life. The amount is to be left in the first instance to the generosity of the master. If he offers less than $100 the apprentice may decline it and cite the master before the judge of the county court or the ordinary, who, after a hearing, shall fix the sum to be paid.

Illinois.—A new Bible, two complete suits of wearing apparel suitable to the condition in life of the apprentice, and $20 in money. The above must be given only in case the apprentice has served one year or more.

Kansas.—A new Bible, two new suits of clothes to the value of $40, and $10 in current money of the United States.

Kentucky.—One hundred dollars to a male and $50 to a female. If apprentice has been taught to read and write, said money need not be paid.

Mississippi.—The same as Alabama, above.

Missouri.—A new Bible, two new suits of clothes to be worth $50, and $20 in money.

Nevada.—Two suits of clothing, each suit being of the value of not less than $25, and $100 in money to a male bound to serve five years or more, and two full suits of wearing apparel and $50 in money to a female bound to serve four years or more.

New York.—A new Bible to children bound out by a superintendent of the poor of a county or overseers of the poor of a city or town, and to all apprentices a certificate in writing stating that apprentice has served a full term at a specified trade or craft.

North Carolina.—A certificate in writing stating that apprentice has served a full term at a specified trade or craft.

North Dakota.—A new Bible.

Ohio.—A new Bible and two good suits of new clothes.

South Dakota.—The same as North Dakota, above.

Tennessee.—One good suit of clothes and $20 in money.

Wisconsin.—The same as North Dakota, above.

TO TEACH, OR CAUSE TO BE TAUGHT, TO APPRENTICE THE TRADE, ETC., TO WHICH INDENTURED.

North Carolina.—Such apprentices only as, being over fourteen years of age, are bound out to learn a trade or calling.

REFERENCES TO LAWS FROM WHICH THE PRECEDING DIGEST WAS COMPILED.

Alabama.—Code of 1886: Sections 1474 to 1485, inclusive, 3756, 3759, and 3760.

Arkansas.—Digest of the statutes of 1884: Sections 235 to 244, inclusive; and acts of 1887, act No. 42.

California.—Deering's Codes and Statutes (1885): Vol. II, Civil Code, pages 58 to 62, inclusive.

Colorado.—Session Laws of 1885, page 20: Act approved April 8, 1885.

Connecticut.—Code of 1887: Sections 30, 1484, 1738 to 1744, inclusive, 3631, and 3677.

Delaware.—Revised Code of 1852. Edition of 1874: Chapter 79; and laws of 1883, chapter 211.

Florida.—McClellan's Digest of 1881: Chapter 4, sections 1 to 9, inclusive.
Georgia.—Code of 1882: Sections 1871 to 1884, inclusive.
Illinois.—Annotated Statutes of 1885: Chapter 9, paragraphs 1 to 19, inclusive.
Indiana.—Revised Statutes of 1881: Sections 5334 to 5352, inclusive, and 6190; and Ellicott's Supplement of 1889, sections 640 and 893.
Iowa.—McClain's Annotated Statutes of 1880. Edition of 1884: Sections 1378, 1649, and 2280 to 2306, inclusive.
Kansas.—Compiled Laws of 1885: Sections 347 to 370, inclusive, 3758, and 5330.
Kentucky.—General Statutes of 1881: Chapter 74, sections 1 to 16, inclusive.
Louisiana.—Voorhee's Revised Laws of 1870: Sections 70 to 84, inclusive.
Maine.—Revised Statutes of 1883: Chapter 24, sections 21 to 28, inclusive; chapter 62, sections 1 to 7, inclusive, and chapter 142, sections 11, 20, and 21.
Maryland.—Code of Public General Laws of 1888: Article 6 as amended by chapter 8, acts of 1890, and article 27, sections 324, 346, 367, and 380; also, Code of Public Local Laws of 1888, article 1, sections 3 and 4, and article 20, sections 29, 30, and 31.
Massachusetts.—Public Statutes of 1882: Chapter 149, sections 1 to 23, inclusive.
Michigan.—Howell's Annotated Statutes of 1882. Edition of 1883: Sections 6352 to 6378, inclusive.
Minnesota.—General Statutes of 1878: Chapter 15, section 16; chapter 35, section 44, and chapter 60.
Mississippi.—Revised Statutes of 1880: Sections 637, 638, and 639.
Missouri.—Revised Statutes of 1889: Sections 369 to 396, inclusive.
Montana.—Compiled Statutes of 1887, fifth division, general laws: Chapter 97, section 1617.
Nevada.—General Statutes of 1885: Sections 611 to 626, inclusive.
New Hampshire.—General Laws of 1878: Chapter 82, sections 4 and 5; chapter 83, section 3; chapter 187, sections 1 to 13, and chapter 287, section 21.
New Jersey.—Revision of 1887: Page 30, sections 1 to 16, inclusive; page 838, section 12; page 949, section 8; and page 954, section 10.
New Mexico.—Compiled Statutes of 1884: Sections 1069 to 1078, inclusive.
New York.—Revised Statutes of 1881: Page 2348, *et seq.*
North Carolina.—Acts of 1889: Chapter 169.
North Dakota.—Revised codes of 1883 (of Territory of Dakota); civil code, page 763, sections 140 to 158, inclusive.
Ohio.—Revised codes of 1886: Vol. 1, sections 3118 to 3185, inclusive, as amended by act of March 5, 1887, page 45, laws of 1887.
Oregon.—Annotated Laws of 1887: Vol. II (miscellaneous laws), sections 2912 to 2936, inclusive, and 3947. Laws of 1889, page 18, section 12.
Pennsylvania.—Brightley's Purdon's Digest (edition of 1885): Page 88, section 6; page 98, sections 1 to 13, inclusive; page 879, sections 2 and 19, and page 1343, section 28.
Rhode Island.—Public Statutes of 1882: Chapter 71, section 14, and chapter 169, sections 1 to 20, inclusive.
South Carolina.—General Statutes of 1882: Sections 896 and 2072 to 2080, inclusive.
South Dakota.—Same as North Dakota above.
Tennessee.—Code of 1884: Sections 2129 and 3422 to 3437, inclusive.
Texas.—Revised Civil Statutes of 1879: Articles 18 to 41, inclusive.
Utah.—Compiled Laws of 1888: Sections 2564 to 2574, inclusive.
Vermont.—Revised Laws of 1880: Chapter 126, sections 2511 to 2535, inclusive, and chapter 204, section 4350.
Virginia.—Code of 1887: Sections 2581 to 2596, inclusive.
Washington.—Code of 1881: Chapter 210, section 2700.
West Virginia.—Code. Edition of 1887: Chapter 81, sections 1 to 14, inclusive.
Wisconsin.—Revised Statutes of 1878: Sections 2377 to 2394, inclusive, and 4966.

LEGAL HOLIDAYS IN THE STATES AND TERRITORIES.

[In Minnesota, Washington's Birthday and Decoration Day are the only holidays expressly provided for by law. In the law relating to the maturity of bills and notes, January 1, July 4, December 25, and Thanksgiving Day are made holidays by implication.]

January 1—New Year's Day.—In Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, In-

diana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota (*a*), Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

January 8—Anniversary of the battle of New Orleans.—In Louisiana.

January 19—Lee's Birthday.—In Georgia and Virginia.

February 22—Washington's Birthday.—In Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

March 2—Anniversary of Texan Independence.—In Texas.

March 4—Inauguration Day.—In the District of Columbia.

March 4—Firemen's Anniversary.—In New Orleans, La.

April 21—Anniversary of the Battle of San Jacinto.—In Texas.

April 26—Confederate Memorial Day.—In Alabama, Georgia, and Tennessee.

May 10—Confederate Memorial Day.—In North Carolina.

May 20—Anniversary of the Mecklenburg declaration of independence.—In North Carolina.

May 30—Decoration Day.—In Arizona, California, Colorado, Connecticut, District of Columbia, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, Wisconsin, and Wyoming.

July 4—Independence Day.—In all the States and Territories. (*b*)

July 24—Pioneers' Day.—In Utah.

September 9—Anniversary of the admission of the State into the Union.—In California.

December 25—Christmas Day.—In all the States and Territories.(*b*)

Arbor Day (*c*)—In Colorado (*d*), Idaho (*e*), Nebraska (*f*), and Rhode Island.(*e*)

Fast day (whenever appointed).—In Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Nebraska, New Hampshire, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, and Virginia.

General election days.—In Arizona, California, Florida, Idaho, Indiana (*g*), Maryland, Missouri, Montana, New Hampshire, New Jersey, New York (*h*), North Dakota, Ohio (*g*), Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.

Good Friday.—In Alabama, Louisiana, Maryland, Minnesota (*a*), and Tennessee.

Labor Day.—The first Monday in September in the following States: Colorado, Connecticut, Iowa, Massachusetts, Nebraska, New Jersey, New York, Ohio, and Pennsylvania. The first Saturday in June in Oregon.

Mardi Gras.—In Alabama and Louisiana.

Saturdays after 12 o'clock noon.—In New York.

Thanksgiving Day (whenever appointed).—In Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota (*a*), Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

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a A holiday by implication only.

b In Minnesota, a holiday by implication only.

c Other States also provide by law for an arbor day, but do not make it a holiday.

d Third Friday in April.

e Day to be set by the governor.

f April 22.

g Two hours only.

h Half day only.

CHAPTER II.

LABOR LEGISLATION.

ALABAMA.

CONSTITUTION OF 1875.

Article 10.—Exemption from execution, etc.—Personal property.

SECTION 1. The personal property of any resident of this State, to the value of one thousand dollars, to be selected by such resident, shall be exempted from sale on execution, or other process of any court, issued for the collection of any debt contracted since the thirteenth day of July, eighteen hundred and sixty-eight, or after the ratification of this constitution.

Article 10.—Exemption from execution, etc.—Homesteads.

SECTION 2. Every homestead, not exceeding eighty acres, and the dwelling and appurtenances thereon, to be selected by the owner thereof, and not in any city, town, or village, or in lieu thereof, at the option of the owner, any lot in the city, town, or village, with the dwelling and appurtenances thereon, owned and occupied by any resident of this State, and not exceeding the value of two thousand dollars, shall be exempted from sale on execution, or any other process from a court, for any debt contracted since the thirteenth of July, eighteen hundred and sixty-eight, or after the ratification of this constitution. Such exemption, however, shall not extend to any mortgage lawfully obtained, but such mortgage or other alienation of such homestead, by the owner thereof, if a married man, shall not be valid without the voluntary signature and assent of the wife to the same.

SECTION 3. The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of any debts contracted since the thirteenth day of July, one thousand eight hundred and sixty-eight, or after the ratification of this constitution, in all cases, during the minority of the children.

SECTION 4. The provisions of sections one and two of this article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemption, or a mechanic's lien for work done on the premises.

SECTION 5. If the owner of a homestead die, leaving a widow, but no children, such homestead shall be exempt, and the rents and profits thereof shall enure to her benefit.

CODE OF 1886, VOL. I.

PART I.

TITLE 7.—*Exemption from taxation.*

SECTION 451. The following property and persons shall be exempt from taxation:

* * * * * * *

4. The libraries of ministers of the gospel, and all libraries other than those of a professional character, and all religious books kept for sale by ministers of the gospel and colporteurs.

* * * * * * *

6. From poll tax, all persons permanently disabled, whose taxable property does not exceed five hundred dollars.

* * * * * * *

9. The following property, to be selected by the head of each family, viz: Household and kitchen furniture, not to exceed in value one hundred and fifty dollars; one yoke of oxen, one cart or wagon, two cows and calves, twenty head of stock hogs, ten head of sheep, all poultry, all agricultural products of the preceding year which are on hand, in the hands of the producer, on the first day of January thereafter; provisions and supplies on hand for the current year, for the use of the family and the making of the crop; all wearing apparel; all looms and spinning wheels, kept for the use of the family; farming tools to the value of twenty-five dollars; tools and implements of mechanics to the value of twenty-five dollars; one sewing machine in each family, when the taxable property does not exceed two hundred and fifty dollars: *Provided*, That no property or subject of taxation shall be exempted from taxation, nor shall any credit, abatement, or deduction be allowed therefrom, unless such property or subject of taxation is entered by the tax-payer upon his assessment list, and returned by him, under oath, to the tax assessor.

PART II.

TITLE 1.—*Exemption from execution, etc.—Interests in mutual aid associations.*

SECTION 1552. The interest of resident members of such associations therein, and of resident beneficiaries provided for thereby, is exempt from all process for the collection of debts, or the enforcement of liabilities.

TITLE 4.—*Wages preferred—In administration.*

SECTION 2079. The debts against the estates of decedents are to be paid in the following order:

1. Funeral expenses.
2. The fees and charges of administration.
3. Expenses of the last sickness.
4. Taxes assessed on the estate of the decedent previous to his death.
5. Debts due to employés, as such, for services rendered the year of the death of the decedent.

* * * * * * *

TITLE 5.—*Earnings of married women.*

SECTION 2342. The earnings of the wife are her separate property; * * *.

TITLE 6.—*Exemption from execution, etc.—Homesteads.*

SECTION 2507. The homestead of every resident of this State, with the improvements and appurtenances, not exceeding in value two thousand dollars, and in area one hundred and sixty acres, shall be, to the extent of any interest he may have therein, whether a fee or less estate, or whether held in common or in severalty, exempt from levy and sale under execution or other process for the collection of debts contracted after 23d day of April, 1873, during his life and occupancy, and if he leave surviving him a widow and minor child or children, or either, during the life of the widow and minority of the child or children; but the area of the homestead shall not be enlarged by reason of any encumbrance thereon, or of the character of the estate or interest owned therein by him.

SECTION 2509. The provisions of this title shall not, however, be so construed as to prevent any lien attaching to the homestead in favor of any laborer, mechanic, or material man for work and labor done, or for materials furnished, or in favor of any vender for unpaid purchase-money, or so as to affect any deed, mortgage, or lien on such homestead, lawfully executed or created.

SECTION 2543. The homestead of any resident of this State, leaving surviving him at his death a widow and minor child or children, or either, with the improvements and appurtenances, not exceeding in value two thousand dollars, and in area one hundred and sixty acres, shall be exempt from administration and the payment of debts contracted after the 23d day of April, 1873, in favor of such widow and minor child or children, or either, in any event, during the life of the widow, or the minority of the child or children, whichever may last terminate; and the rents and profits of such homestead, if there be a widow and no minor child, shall enure to her benefit during her life; or if there be a minor child or children, and no widow, then to the benefit of such child or children during minority; or if there be both widow and minor child or children, then to their equal benefit during the life of the widow and the minority of the child or children. Such homestead may be retained by the widow or minor child or children, until it is ascertained whether the estate is solvent or insolvent; and if thd estate is insolvent, it shall vest in them absolutely.

SECTION 2544. If such decedent, at the time of his death, has no homestead

exempt to him from levy and sale under process, his widow and minor child or children, or either, shall be * * * entitled to a homestead exemption out of any other real estate owned by him, which, in value, area, interest and estate, shall conform to the provisions of the preceding section.

TITLE 6.—*Exemption from execution, etc.—Burial lots and pews or seats in church.*

SECTION 2510.—In favor of such resident there shall also be exempt from levy and sale, under execution or other process, any lot or lots in cemeteries, or elsewhere, set apart or used as a burial place for himself or family, and any pew or seat in any church or place of worship, held and occupied by him for the use of himself or family.

TITLE 6.—*Exemption from execution, etc.—Personal property.*

SECTION 2511.—The personal property of such resident, to the amount of one thousand dollars in value, to be selected by him, and, in addition thereto, all necessary and proper wearing apparel for himself and family, and all family portraits or pictures, and all books used in the family, shall also be exempt from levy and sale under execution or other process for the collection of debts contracted after the 23d day of April, 1873.

SECTION 2545. In favor of the widow and minor child or children, or either, of such decedent, there shall also be exempt from administration and the payment of debts contracted after the 23d day of April, 1873, all the wearing apparel of the decedent, and of the widow and minor children, all yarn and cloth on hand intended for their use and consumption, all books kept for use in the family, all family portraits and pictures, all grain, stores and groceries on hand, necessary for the support of the family for twelve months after the decedent's death, and all bedding and household and kitchen furniture, necessary for the use and comfort of the family; to be selected by the widow, if there be one, or if there be no widow, or she fails to act, by the guardian of the minor child or children.

SECTION 2546. In favor of such widow and minor child or children, or either, there shall also be exempt from administration and the payment of such debts, personal property belonging to such decedent at the time of his death, to the amount of one thousand dollars in value, to be selected and set apart for them; but if the estate is solvent, the value of such property so selected and set apart shall be, on final settlement and distribution of the estate, credited on the distributive shares of the widow and children receiving the benefit thereof, or on their respective legacies, if by will disposition is made of the entire estate; and any of such children, on leaving the family, shall be entitled to an equal share of the property so exempt, and then on hand.

TITLE 6.—*Exemption from garnishment, etc.—Wages.*

SECTION 2512. The wages, salaries, or other compensation of laborers or employés, residents of this State, for personal services, to the amount of twenty-five dollars per month, shall also be exempt from levy under writs of garnishment or other process for the collection of such debts.

PART III.

TILE 1.—*Liability of employer for injuries of employés.*

SECTION 2590. When a personal injury is received by a servant or employé in the service or business of the master or employer, the master or employer is liable to answer in damages to such servant or employé, as if he were a stranger, and not engaged in such service or employment, in the cases following:

1. When the injury is caused by reason of any defect in the condition of the ways, works, machinery, or plant connected with, or used in the business of the master or employer.

2. When the injury is caused by reason of the negligence of any person in the service or employment of the master or employer, who has any superintendence intrusted to him, whilst in the exercise of such superintendence.

3. When such injury is caused by reason of the negligence of any person in the service or employment of the master or employer, to whose orders or directions the servant or employé, at the time of the injury, was bound to conform, and did conform, if such injuries resulted from his having so conformed.

4. When such injury is caused by reason of the act or omission of any person in the service or employment of the master or employer, done or made in obe-

dience to the rules and regulations or by-laws of the master or employer, or in obedience to particular instructions given by any person delegated with the authority of the master or employer in that behalf.

5. When such injury is caused by reason of the negligence of any person in the service or employment of the master or employer, who has charge or control of any signal, points, locomotive, engine, switch, car, or train upon a railway, or of any part of the track of a railway. But the master or employer is not liable under this section, if the servant or employé knew of the defect or negligence causing the injury, and failed in a reasonable time to give information thereof to the master or employer, or to some person superior to himself engaged in the service or employment of the master or employer, unless he was aware that the master or employer, or such superior already knew of such defect or negligence; nor is the master or employer liable under sub-division one, unless the defect therein mentioned arose from, or had not been discovered or remedied owing to the negligence of the master or employer, or of some person in the service of the master or employer, and intrusted by him with the duty of seeing that the ways, works, machinery, or plant, were in proper condition.

SECTION 2591. If such injury results in the death of the servant or employé, his personal representative is entitled to maintain an action therefor, and the damages recovered are not subject to the payment of debts or liabilities, but shall be distributed according to the statute of distributions.

SECTION 2592. Damages recovered by the servant or employé, of and from the master or employer, are not subject to the payment of debts, or any legal liabilities incurred by him.

TITLE 1.—*Wages not to be defeated by set-off of a money demand.*

SECTION 2678. * * * the wages or hire of any head of a family in this State not having property liable to levy and sale under execution, can not be defeated or abated by any set-off of a money demand acquired by the person contracting to pay such wages by assignment or transfer, unless the parties otherwise agree in writing.

TITLE 1.—*Exemptions from execution, etc.—Growing crops.*

SECTION 2893. No execution or other legal process must be levied upon a growing or ungathered crop of any description, except for the purpose of enforcing liens upon such crops for rent, advances, or labor, as prescribed by law.

CODE OF 1886, VOL. II.

PART V.

TITLE 2.—*Enticing employés.*

SECTION 3757. Any person, who knowingly interferes with, hires, employs, entices away, or induces to leave the service of another, or attempts to hire, employ, entice away, or induce to leave the service of another any laborer or servant who has contracted in writing to serve such other person for any given time, not to exceed one year, before the expiration of the time so contracted for, or who knowingly interferes with, hires, employs, entices away, or induces any minor to leave the service of any person to whom such service is lawfully due, without the consent of the party employing, or to whom such service is due, given in writing, or in the presence of some creditable person, must, on conviction, be fined not less than fifty, nor more than five hundred dollars, at the discretion of the jury, and in no case less than double the damages sustained by the party whom such laborer or servant was induced to leave; * * *.

SECTION 3758. When any laborer or servant, having contracted as provided in the preceding section, is afterwards found in the service or employment of another before the termination of such contract, that fact is prima facie evidence that such person is guilty of a violation of that section, if he fail and refuse to forthwith discharge such laborer or servant, after being notified and informed of such former contract or employment.

SECTION 3761. Any person, who employs any immigrant, or otherwise entices him from his employer, in violation of the contract of such immigrant, must, on conviction, be fined in a sum not less than the amount of wages for the unexpired term of the contract, and may be imprisoned in the county jail, or sentenced to hard labor for the county, at the discretion of the jury, for not more than three months.

TITLE 2.—*Immigrant leaving service without repayment of advances.*

SECTION 3762. Any immigrant who abandons or leaves the service of an employer without repaying all passage money and all other advances, must, on conviction, be fined in a sum not more than double the amount of wages for the unexpired term of service and imprisoned not longer than three months, or sentenced to hard labor for the county for not more than three months, at the discretion of the jury.

TITLE 2.—*Intimidation, etc., of employers and employés.*

SECTION 3763. Any person, who, by force or threats of violence to person or property, prevents, or seeks to prevent another from doing work or furnishing materials, or from contracting to do work or furnish materials, for or to any person engaged in any lawful business, or who disturbs, interferes with, or prevents the peaceable exercise of any lawful industry, business, or calling by any other person, must, on conviction, be fined not less than ten, nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than twelve months.

TITLE 2.—*Sunday labor.*

SECTION 4045. Any person, who compels his child, apprentice, or servant to perform any labor on Sunday, except the customary domestic duties of daily necessity or comfort, or works of charity; * * * or who, being a merchant or shopkeeper, druggist excepted, keeps open store on that day, must, for the first offense, be fined not less than ten, nor more than twenty dollars, and, for the second, or any subsequent offense, must be fined not less than twenty, nor more than one hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than three months; but the provisions of this sectfon do not apply to the running of railroads, stages, or steamboats, or other vessels navigating the waters of this State, or any manufacturing establishment which requires to be kept in constant operation.

TITLE 3.—*Convict labor.*

SECTION 4586. Hard labor for the county shall be under the superintendence and control of the court of county commissioners, who shall determine in what manner and on what particular works the labor shall be performed; * * * .

SECTION 4595. Hard labor for the county includes labor on the public roads, public bridges, and other public works in the county; and authorizes the letting of such convicts to hire to labor anywhere within the State, as may be determined by the court of county commissioners.

SECTION 4619. Convicts sentenced to the penitentiary or to hard labor for the county shall not be required to work on Christmas Day or the Fourth day of July.

SECTION 4641. All of the convicts may be hired to be worked outside of the walls; and when they are to be so hired, the president of the board of inspectors shall give notice thereof, by publication in one or more papers in each of the cities of Mobile, Montgomery, Huntsville and Birmingham, for at least thirty days previous to a day designated in said notice, that sealed proposals will be received at his office for the hire of convicts. The notice shall state the terms and conditions upon which the convicts shall be hired. * * *

SECTION 4648. Not less than one hundred State or county convicts shall be hired to one person, or kept at one prison, * * * and they shall be governed, worked and guarded as prescribed by the rules and regulations prescribed for working penitentiary convicts outside the walls. The violation of this section is a misdemeanor, punishable, on conviction, by a fine not exceeding one thousand dollars, and hard labor not less than twelve months; but less than one hundred may be hired to one person, when worked within the county where convicted.

SECTION 4657. It is unlawful to work upon railroads any convicts; * * * .

ACTS of 1887.

ACT NO. 47.—*Color blindness of railroad employés.*

SECION 1. All persons affected with color blindness and loss of visual power, one or both, to the extent to be defined in accordance with the requirements of this act, shall be and they are hereby disqualified from serving on railroad lines within this State in the capacity of locomotive engineer, fireman, train conductor, brakeman, station agent, switchman, flagman, gate tender or signal man, or in any other position which requires the use of discrimination of form or color signals.

SECTION 2. Any person who shall serve in any of the capacities mentioned in section one of this act without first having obtained a certificate of fitness for his position, in accordance with the provisions of this act, shall be guilty of a misdemeanor, and on conviction thereof before any court of competent jurisdiction, shall be fined not less than ten nor more than fifty dollars, for each and every offense.

SECTION 3. On and after the first day of June, 1887, examinations and re-examinations, at the expense of the railroad companies, shall be required under this law, and any railroad company, officer or agent of the same, employing after said date a person in any of the capacities specified in section one of this act, who does not possess a certificate of fitness therefor, in so far as color blindness and visual powers are concerned, duly issued in accordance with the requirements of this act, shall be guilty of a misdemeanor, and for each and every offense shall be punished by a fine of not less than fifty nor more than five hundred dollars; *Provided*, That those persons already in employment in said capacities on the first day of June, 1887, shall be allowed until the first day of August, 1887, in which to procure the necessary certificates.

SECTION 6. The following rules shall govern the actions of the examiners: *Provided*, That the State board of health may from time to time make such alterations in or additions to these rules and requirements as they may deem just and proper:

Rule 1.—All railroad employés requiring examination under this act shall be divided into two classes: Class first, shall include engineers, firemen and brakemen; class second, shall include train conductors, station agents, switchmen, flagmen, gate tenders, signal men, and all others whose duties require them to use or distinguish form or color signals.

Rule 2.—Certificates shall be given for each class in accordance with the following directions for examinations; promotion from one class to the other requires re-examination and certificate.

Rule 3.—Re-examination shall be made once every five years, and also under the following conditions, viz: After any serious disease of the eyes; after all injuries affecting the head or the eyes; after any disease of the brain; after every long continued illness, as typhoid fever; after mistakes or acts which call in question the visual powers, either of form or color; and whenever a majority of the board may deem it necessary and so direct.

* * * * * * *

Rule 6.—After an employé has held his position for five years or more, the standard required in each class may be determined by special action of the examining board.

ACT NO. 49.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. Whoever compels a child under eighteen years of age or a woman to labor in a mechanical or a manufacturing business more than eight hours in any day, or permits a child under the age of fourteen years to labor for more than eight hours in any day in any factory, workshop or other place used for mechanical or manufacturing purposes of which he has control, or whoever shall work or permit to be worked in a coal or iron mine, or mines, children under the age of fifteen years of age, shall be fined not more than fifty dollars nor less than five dollars.

ACT NO. 59.—*Examination of locomotive engineers.*

SECTION 1. It shall be unlawful for the engineer of any railroad train in this State to drive or operate or engineer any train of cars or engine upon the main line or road bed of any railroad in this State which is used for the transportation of persons, passengers or freight, without first undergoing an examination once, obtaining a license as hereinafter provided.

SECTION 2. Before any locomotive engineer shall operate or drive an engine upon the main line or road bed of any railroad in this State used for the transportation of persons or freight, he shall apply to the board of examiners hereinafter provided for in this act, and be examined by said board or two or more members thereof, in practical mechanics, and concerning his knowledge of operating a locomotive engine and his competency as an engineer.

SECTION 3. Upon the examination of any engineer as provided in this act, if the applicant is found competent, he shall upon payment of five dollars, receive a license, which shall be signed by each member of the board, and which shall set forth the fact that the said engineer has been duly examined as required by law and is authorized to engage as an engineer on any of the railroads in this State.

SECTION 4. In addition to the examination provided for in section two (2), it shall be the duty of said board of examiners, before issuing the license provided for in this act, to inquire into the habits and character of all engineers applying for license; and in no case shall a license be issued, if the applicant is found to be of reckless or intemperate habits.

SECTION 5. Any engineer, who, after procuring a license as provided in this act, shall at any time be guilty of any act of recklessness, carelessness or negligence, while running an engine, by which any damage to persons or property is done; or who shall within six hours before, or during the time he is engaged in running an engine, be in a state of intoxication, shall forfeit his license, with all the rights and privileges acquired by it, indefinitely or for a stated period, as the board may determine after notifying such engineer to appear before the board, and enquiring into his act or conduct. It shall be the duty of the board to determine whether the engineer is unfit or incompetent by reason of any act or habit unknown at the time of his examination, or acquired or formed subsequent to it, and if it is made to appear that he is unfit or incompetent from any cause, the board shall revoke or cancel his license and shall notify every railroad in this State of the action of the board.

SECTION 6. It shall be the duty of the governor, as soon after the approval of this act as practicable, to appoint and commission five skilled mechanics, one of whom shall reside in Birmingham, one in Montgomery, one in Mobile, one in Selma, and one in Eufaula, who shall constitute a board of examiners for locomotive engineers. It shall be the duty of said board to examine locomotive engineers, issue licenses, hear causes of complaint, revoke or cancel licenses, and perform such duties as are provided in this act: *Provided*, That any one of said board shall have authority to examine applicants for licenses, and if the applicant is found competent, to issue license to him: *Provided further*, That for every examination provided in this act the board or member thereof making the examination shall be entitled to five dollars, to be paid by the applicant.

SECTION 7. All engineers now employed in running or operating engines upon railroads in this State, shall have three months after the appointment of the board herein provided, within which to be examined and to obtain license.

SECTION 8. Any engineer violating the provisions of this act, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty, nor more than five hundred dollars, and may also be sentenced to hard labor for the county for not more than six months.

ACT NO. 353.—*Exemption from taxation—Agricultural products.*

SECTION 1. On and after the first day of January, 1887, all cotton and other agricultural products which were raised or grown during the preceding year, and which shall remain in the hands of the producers thereof on the first day of January of any year, immediately succeeding that in which they were raised, shall be exempted from taxation.

ACT NO. 383.—*Convict labor in Jefferson County.*

SECTION 1. From and after the first day of January, 1888, it shall be the duty of the court of county commissioners of Jefferson County to employ all convicts, except females, sentenced to hard labor for said county, in work upon the public roads of said county. * * *

SECTION 8. Nothing in this act shall prevent the court of county commissioners from letting out, from time to time, public works, bridges and public roads, by contract, to such suitable person or persons as said court may deem for the best interest of the county; but such contractor must take the convicts of said county and work them upon the public road or roads, * * * .

ACTS OF 1889.

ACT NO. 92.—*Seats for female employés.*

SECTION 1. It shall be unlawful for anyone to employ any female clerk in any store in this State, without providing them with the proper accommodations for sitting down and resting, and permitting them to do so when not otherwise employed.

SECTION 2. Any person, firm or corporation who shall violate the provisions of this act, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars for each offense.

ARIZONA.

REVISED STATUTES OF 1887.

TITLE 4.—*Exemption from garnishment—Wages.*

SECTION 98. Earnings for personal services rendered at any time within thirty days next preceding the service of the writ shall not be subject to garnishment when it shall be made to appear by the affidavit of the debtor or otherwise that such earnings are necessary for the support of a family supported wholly or in part by his labor.

TITLE 27.—*Exemption from execution, etc.—Personal property.*

SECTION 1956. There shall be reserved to every family exempt from attachment and execution and every species of forced sale for the payment of debts, personal property not to exceed in value the sum of one thousand dollars.

SECTION 1962. The earnings of the debtor for his personal services for thirty days next preceding the date of the levy, when it shall be made to appear by the debtor's affidavit or otherwise that such earnings are necessary for the use of a family, supported wholly or in part by his labor shall be exempt.

TITLE 23.—*Exemption from execution, etc.—Homesteads.*

SECTION 2071. Every person who is the head of a family may hold as a homestead, exempt from execution and forced sale, real property to be selected by him or her not exceeding in value the sum of $4,000.00—four thousand dollars.

SECTION 2073. The claim of the homestead provided for in this act may be made by the husband, or by his wife, or by any unmarried person who is the head of a family, or by any one having charge of the premises in behalf of the owner thereof, if such owner be entitled to claim a homestead.

SECTION 2085. Land other than that upon which claimant resided may be held as a homestead.

TITLE 34.—*Earnings of married women.*

SECTION 2101. The earnings * * * of the wife and of her minor children in her custody while she has lived or may live separate and apart from her husband, shall also be the separate property of the wife.

TITLE 51.—*Convict labor.*

SECTION 2424. The board of commissioners shall lease from time to time as it can be done to advantage, convict labor, to be employed by the lessees in such manufacturing enterprises as the board may deem proper and under such rules and regulations as they may prescribe, but every corporation, firm or persou leasing any of such convict labor shall employ the same within the prison walls and shall have the right to introduce machinery, tools, raw material and instructors necessary to the successful prosecution of their manufacturing business.

SECTION 2459. Persons confined in the county jail under a judgment of imprisonment rendered in a criminal action or proceeding may be required by an order of the board of supervisors to perform labor on the public works or ways in the county.

ACTS OF 1889.

ACT NO. 10.—*Wages preferred, in assignments, administrations, executions, etc.*

SECTION 1. In all assignments of property made by any person to trustees or assigns on account of the inability of the person at the time of his assignment to pay his debts, or in proceedings in insolvency, the wages of the miners, mechanics, salesmen, clerks or laborers employed by such person to the amount of two hundred dollars each and for services rendered within sixty days previously, are preferred claims and must be paid by such trustees or assigns before any other creditor or creditors of the assignors.

SECTION 2. In case of the death of an employer the wages of each miner, mechanic, salesman, clerk, servant and laborer for services rendered within sixty days next preceding the death of the employer, not exceeding two hundred dollars, rank in priority next after the funeral expenses, expenses of the last sickness, the charges and expenses of administering upon the estate and the allowance to the widow and infant children, and must be paid before any other claim against the estate of the deceased person.

SECTION 3. In cases of execution, attachments and writs of a similar nature, issued against any person, except for claims for labor done. Any miners, me-

chanics, salesmen, servants and laborers who have claims against the defendant for labor done, may give notice of their claims and the amounts thereof, sworn to by the person making the claim, to the creditor, and the officer executing either of such writs at any time before the actual sale of the property levied on. And such officer shall file such sworn statement with the clerk of the court in which the cause is pending; and unless such claim is disputed by the debtor or a creditor before such sale, such officer must pay such person out of the proceeds of the sale the amount each is entitled to receive for services rendered within sixty days next preceding the levy of the writ, not exceeding the sum of two hundred dollars. If any or all of the claims so presented, and claiming preference under this section, are disputed, either by a debtor or a creditor, the person presenting the same must commence an action within ten days after notice in writing of such fact served upon him by such disputing debtor or creditor for the recovery thereof, and must prosecute his action with due diligence or be forever barred from any claim of priority of payment thereof, and the officer shall retain possession of so much of the proceeds of the sale as may be necessary to satisfy such claim, until the determination of such action; and in case such judgment be had for the claim, or any part thereof, carrying costs, the cost taxable therein shall likewise be a preferred claim, with the same rank as the original claim.

ARKANSAS.

CONSTITUTION OF 1874.

ARTICLE 9.—*Exemption from execution, etc.—Personal property.*

SECTION 1. The personal property of any resident of this State who is not married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of two hundred dollars in addition to his or her wearing apparel, shall be exempt from seizure on attachment, or sale or execution, or other process from any court issued for the collection of any debt by contract; provided that no property shall be exempt from execution for debts contracted for the purchase money therefor while in the hands of the vendee.

SECTION 2. The personal property of any resident of this State who is married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of five hundred dollars in addition to his or her wearing apparel, and that of his or her family, shall be exempt from seizure on attachment, or sale on execution, or other process from any court on debt by contract.

ARTICLE 9.—*Exemption from executions, etc.—Homesteads.*

SECTION 3. The homestead of any resident of this State who is married or the head of a family shall not be subject to the lien of any judgment, or decree of any court, or to sale under execution or other process thereon, except such as may be rendered for the purchase money or for specific liens, laborers, or mechanics' liens for improving the same, or for taxes, or against executors, administrators, guardians, receivers, attorneys for moneys collected by them and other trustees of an express trust for moneys due from them in their fiduciary capacity.

SECTION 4. The homestead outside of any city, town or village, owned and occupied as a residence, shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon, to be selected by the owner, provided the same shall not exceed in value the sum of twenty-five hundred dollars, and in no event shall the homestead be reduced to less than eighty acres, without regard to value.

SECTION 5. The homestead in any city, town or village, owned and occupied as a residence, shall consist of not exceeding one acre of land, with the improvements thereon, to be selected by the owner, provided the same shall not exceed in value the sum of two thousand five hundred dollars, and in no event shall such homestead be reduced to less than one quarter of an acre of land, without regard to value.

SECTION 6. If the owner of a homestead die, leaving a widow, but no children, and said widow has no separate homestead in her own right, the same shall be exempt and the rents and profits thereof shall vest in her during her natural life, provided that if the owner leaves children, one or more, said child or children shall share with said widow and be entitled to half the rents and profits till each of them arrives at twenty-one years of age—each child's right to cease at twenty-one years of age—and the shares to go to the younger children, and then all to go to the widow, and provided that said widow or children may reside

on the homestead or not; and in case of the death of the widow all of said homestead shall be vested in the minor children of the testator or intestate.

SECTION 10. The homestead provided for in this article shall inure to the benefit of the minor children, under the exemptions herein provided, after the decease of the parents.

DIGEST OF 1884.

CHAPTER 10.—*Attachment of vessels for wages.*

SECTION 395. All boats and vessels, of all descriptions, built, repaired, equipped or running upon any of the navigable waters of this State, shall be liable for contracts of every kind made by the owners, masters or supercargoes of such boats or vessels, for or on account of such boats or vessels.

SECTION 397. For all contracts * * * mentioned in this act, such boats or vessels may be sued by name or description, and attached, in the manner now prescribed by law. *Act Dec. 7, 1860, secs. 1-3.*

SECTION 398. Debts due from the owners or proprietors of * * * boats or vessels, for the wages of mariners, boatmen and others employed in the service of said boats or vessels, shall have preference over all other debts and claims and be first paid.

SECTION 404. All engineers, pilots, mariners, boatmen and others employed in any capacity in or about such boat or vessel, who may be entitled to arrearages of wages in consequence of such services, may proceed to collect such wages under the provisions of this act, and shall be entitled to all the benefits thereof.

CHAPTER 39.—*Convict labor.*

SECTION 1210. Any person who may be convicted of any misdemeanor or petty offense in any of the courts of this State, any who shall be committed to jail in default of the payment of the fines and costs adjudged against him, shall be required to discharge such fines and costs by manual labor in any manual labor workhouse, or any farm attached thereto, or any road, bridge or other public work in the county where the conviction and committal were had.

SECTION 1214. It shall be the duty of the sheriff or constable, immediately after the conviction of any person of any misdemeanor, to proceed at once to hire said person out to some person, company or corporation. * * *

SECTION 1226. The county court is hereby authorized and empowered to make a contract with some responsible person or persons for the maintenance, safekeeping and working of persons committed to the county jail. * * *

SECTION 1233. It shall be the duty of said contractor to safely keep said prisoners, and he * * * may work the said prisoners on a farm, or at any other lawful labor. * * *

CHAPTER 45.—*Sunday labor.*

SECTION 1883.—Every person who shall, on the Sabbath or Sunday, be found laboring, or shall compel his apprentice or servant to labor or to perform other services than customary household duties, of daily necessity, comfort or charity, on conviction thereof, shall be fined one dollar for each separate offense.

SECTION 1884.—Every apprentice or servant compelled to labor on Sunday shall be deemed a separate offense of the master.

SECTION 1885.—The provisions of this act shall not apply to steamboats and other vessels navigating the waters of the State, nor to such manufacturing establishments as require to be kept in continual operation.

SECTION 1887.—(As amended by Act No. 33, acts of 1885.) Every person who shall, on Sunday, keep open any store or retail any goods, wares and merchandise, or keep open any dram shop or grocery, * * * shall, on conviction thereof, be fined in any sum not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars.

SECTION 1888.—Charity or necessity on the part of the customer may be shown in justification of the violation of the last preceding section.

CHAPTER 60.—*Exemption from execution, etc.—Personal property.*

SECTION 2992. The personal property of any resident of this State, who is not married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of two hundred dollars, in addition to his or her wearing apparel, shall be exempt from seizure on attachment, or sale on execution, or other process from any court, issued for the collection of any debt by contract: *Provided*, That no property shall be exempt from execution for debts contracted for the purchase money therefor while in the hands of the vendee.

SECTION 2993. The personal property of any resident of this State, who is married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of five hundred dollars, in addition to his or her wearing apparel and that of his or her family, shall be exempt from seizure on attachment, or sale on execution, or other process from any court, on debt by contract.

CHAPTER 60.—*Exemption from execution, etc.—Homesteads.*

SECTION 2994. The homestead of any resident of this State, who is married or the head of a family, shall not be subject to the lien of any judgment or decree of any court, or to sale under execution, or other process thereon, except such as may be rendered for the purchase money, or for specific liens, laborers' or mechanics' liens for improving the same, or for taxes, or against executors, administrators, guardians, receivers, attorneys, for moneys collected by them, and other trustees of an express trust, for moneys due from them in their fiduciary capacity.

SECTION 2995. The homestead, outside any city, town or village, owned and occupied as a residence, shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon, to be selected by the owner: *Provided*, The same shall not exceed in value the sum of twenty-five hundred dollars, and in no event shall the homestead be reduced to less than eighty acres, without regard to value.

SECTION 2996. The homestead, in any city, town or village, owned and occupied as a residence, shall consist of not exceeding one acre of land, with the improvements thereon, to be selected by the owner: *Provided*, The same shall not exceed in value the sum of two thousand five hundred dollars, and in no event shall such homestead be reduced to less than one-quarter of an acre of land, without regard to value.

CHAPTER 71.—*Exemption from garnishment, etc.—Wages.*

SECTION 3422. The time wages of all laborers and mechanics, not exceeding their wages for sixty days, shall * * * be exempt from seizure by garnishment, or other legal process: *Provided*, That the defendant in any case shall file with the court from which such process shall issue a sworn statement that said sixty days' wages, claimed to be exempt, is less than the amount exempt to him under the constitution of the State, and that he does not own sufficient other personal property, which, together with the said sixty days' wages, would exceed in amount the limits of said constitutional exemption.

CHAPTER 96.—*Laborer leaving employer without cause.*

SECTION 4449. If any laborer shall, without good cause, abandon his employer before the expiration of his contract, he shall be liable to such employer for the full amount of any account he may owe him, and shall forfeit to his employer all wages or share of crop due him, or which might become due him from his employer.

CHAPTER 96.—*Enticing employés.*

SECTION 4451. If anyone shall wilfully interfere with, entice away, knowingly employ or induce a laborer or renter who has contracted as herein provided to leave his employer or the place rented before the expiration of his contract, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than twenty nor more than two hundred dollars, and, in addition to such fine, he shall be liable to the employer in double the amount of damages which such employer or landlord may suffer by such abandonment.

CHAPTER 104.—*Earnings of married women.*

SECTION 4625. A married woman may * * * perform any labor or services on her sole and separate account; and the earnings of any married woman, from her * * * labor or services, shall be her sole and separate property, and may be used or invested by her in her own name; and she may alone sue or be sued in the courts of this State on account of the said property * * * or services.

CHAPTER 118.—*Convict labor.*

SECTION 4871. The governor, secretary of state and attorney-general are hereby constituted a board of commissioners for the management and leasing of the State penitentiary, labor of convicts, machinery, buildings and all other

property thereto belonging, for periods of ten years from the expiration of the present lease, as hereinafter provided.

SECTION 4878. The said board of commissioners shall, twelve months prior to the expiration of the present or any subsequent lease of the penitentiary, cause notices to be published in the official paper in the city of Little Rock, and one daily paper in each of the cities of St. Louis and Memphis, for at least thirty days, that they will, until a certain day therein named—which day shall be six months after date of publication—receive bids for the leasing of the said penitentiary, buildings, machinery, labor of convicts and all property thereto belonging, for the period of ten years. * * *

SECTION 4880. On the day designated as the expiration of the time for receiving bids the governor * * shall * open all bids received by him for the leasing of said penitentiary, * * * in the presence of said board, and the said board of commissioners shall, * * * give a contract, * * * to the highest and best responsible bidder, * * * and * * * if no bids be received as contemplated in this act, the said board shall lease out the said penitentiary * * * to any responsible person or persons who will comply with the provisions of this act. * * *

SECTION 4881. Before the State of Arkansas shall be bound by any contract, * * * said contract shall expressly state and conform to * * * the following stipulations, limitations, agreements and provisions, to wit:

* * * * * * *

Third. The lessee or lessees, as hereinbefore provided for, shall not work said convicts for more than ten hours for each working day of the week.

* * * * * * *

SECTION 4884. The said lessee or lessees shall have and exercise entire control of the said penitentiary and the labor of said convicts. * * *

SECTION 4892. The convicts, now or hereafter confined in said penitentiary, shall not be worked within the corporate limits of the city of Little Rock, except on public improvements and buildings and grounds owned by the State, nor elsewhere, without the walls of said penitentiary, unless under good and sufficient guard, to prevent the escape of the same, nor longer than ten hours each working day.

ACTS OF 1887.

ACT NO. 11.—*Sunday labor.*

SECTION 1. No person who from religious belief keeps any other day than the first day of the week as the Sabbath shall be required to observe the first day of the week, usually called the Christian Sabbath, and shall not be liable to the penalties enacted against Sabbath breaking: *Provided*, That no store or saloon shall be kept open or business carried on therein on the Christian Sabbath: *And, provided, further*, That no person so observing any other day shall disturb any religious congregation by his avocations or employments.

ACTS OF 1889.

ACT NO. 61.—*Employés on railroads to be paid when discharged.*

SECTION 1. Whenever any railroad company or any company, corporation or person engaged in the business of operating or constructing any railroad or railroad bridge, or any contractor or sub-contractor engaged in the construction of any such road or bridge, shall discharge, with or without cause, or refuse to further employ any servant or employé thereof, the unpaid wages of any such servant or employé, then earned at the contract rate, without abatement or deduction, shall be, and become due and payable on the day of such discharge, or refusal to longer employ; and if the same be not paid on such day then, as a penalty for such nonpayment, the wages of such servant or employé shall continue at the same rate until paid: *Provided*, Such wages shall not continue more than sixty days, unless an action therefor shall be commenced within that time.

SECTION 2. No such servant or employé who secretes or absents himself to avoid payment to him, or refuses to receive the same when fully tendered, shall be entitled to any benefit under this act for such time as he so avoids payment.

SECTION 3. Any such servant or employé whose employment is for a definite period of time, and who is discharged without cause before the expiration of such time may, in addition to the penalties prescribed by this act, have an action against any such employer for any damages he may have sustained by reason of such wrongful discharge, and such action may be joined with an action for unpaid wages and penalty.

CALIFORNIA.

DEERING'S CODES AND STATUTES—1885.

VOL. I.—CONSTITUTION.

ARTICLE 10.—*Convict labor—Contract system prohibited.*

SECTION 6. After the first day of January, eighteen hundred and eighty-two, the labor of convicts shall not be let out by contract to any person, copartnership, company, or corporation, and the legislature shall, by law, provide for the working of convicts for the benefit of the State.

ARTICLE 17.—*Exemption from execution, etc.*

SECTION 1. The legislature shall protect, by law, from forced sale a certain portion of the homestead and other property of all heads of families.

ARTICLE 19.—*Employment, etc., of Chinese.*

SECTION 2. No corporation now existing or hereafter formed under the laws of this State shall, after the adoption of this constitution, employ, directly or indirectly, in any capacity, any Chinese or Mongolian * * * .

[*Note.*—The above section, and sections 178 and 179 of the Penal Code, which were enacted to give it effect, were adjudged by the circuit court of the United States to be in conflict with the treaty of the United States with China and to be therefore void. See "*In re Tiburcio Parrot*, 5 Pac. C. L. J., supplement."]

SECTION 3. No Chinese shall be employed on any State, county, municipal, or other public work, except in punishment for crime.

SECTION 4. The presence of foreigners ineligible to become citizens of the United States is declared to be dangerous to the well-being of the State, and the legislature shall discourage their immigration by all the means within its power. Asiatic coolieism is a form of human slavery, and is forever prohibited in this State, and all contracts for coolie labor shall be void. All companies or corporations, whether formed in this country or any foreign country, for the importation of such labor, shall be subject to such penalties as the legislature may prescribe. The legislature shall delegate all necessary power to the incorporated cities and towns of this State for the removal of Chinese without the limits of such cities and towns, or for their location within prescribed portions of those limits, and it shall also provide the necessary legislation to prohibit the introduction into this State of Chinese after the adoption of this constitution. This section shall be enforced by appropriate legislation.

ARTICLE 20.—*Mechanics' liens.*

SECTION 15. Mechanics, material men, artisans, and laborers of every class, shall have a lien upon the property upon which they have bestowed labor or furnished material, for the value of such labor done and material furnished; and the legislature shall provide, by law, for the speedy and efficient enforcement of such liens.

ARTICLE 20.—*Hours of labor on public work.*

SECTION 17. Eight hours shall constitute a legal day's work on all public work.

ARTICLE 20.—*Sex no disqualification from pursuing labor.*

SECTION 18. No person shall, on account of sex, be disqualified from entering upon or pursuing any lawful business, vocation, or profession.

VOL. I.—POLITICAL CODE.

Trade-marks of trade unions, etc.

(Page 471.)

SECTION 3200 (added by chap. 150, acts of 1887). Any trade union, labor association, or labor organization, organized and existing in this State, whether incorporated or not, may adopt and use a trade-mark and affix the same to any goods made, produced, or manufactured by the members of such trade union,

labor association, or labor organization, or to the box, cask, case, or package containing such goods, and may record such trade-mark by filing or causing to be filed with the secretary of state its claim to the same, and a copy or description of such trade-mark, with the affidavit of the president of such trade union, labor association, or labor organization, certified to by any officer authorized to take acknowledgments of conveyances, setting forth that the trade union, labor association, or labor organization of which he is the president is the exclusive owner, or agent of the owner, of such trade-mark * * * .

SECTION 3201 (added by chap. 150, acts of 1887). The president or other presiding officer of any trade union, labor association, or labor organization, organized and existing in this State, which shall have complied with the provisions of the preceding section, is hereby authorized and empowered to commence and prosecute in his own name any action or proceedings he may deem necessary for the protection of any trade-mark adopted or in use under the provisions of the preceding section, or for the protection or enforcement of any rights or powers which may accrue to such trade union, labor association, or labor organization by the use or adoption of said trade-mark.

Employment of labor on public buildings.

(Page 475.)

SECTION 3233. All work done upon the public buildings of this State must be done under the supervision of a superintendent, or State officer or officers having charge of the work, and all labor employed on such buildings, whether skilled or unskilled, must be employed by the day, and no work upon any of such buildings must be done by contract.

Product of Chinese labor not to be bought by State officials.

(Page 475.)

SECTION 3235 (added by chap. 153, acts of 1887). No supplies of any kind or character, "for the benefit of the State or to be paid for by any moneys appropriated or to be appropriated by the State," manufactured or grown in this State, which are in whole or in part the product of Mongolian labor, shall be purchased by the officials for the State having the control of any public institution under the control of the State, or of any county, city and county, city, or town thereof.

Hours of labor.

(Page 479.)

SECTION 3244 (as amended by chap. 85, acts of 1887). Eight hours of labor constitute a day's work, unless it is otherwise expressly stipulated by the parties to a contract, except those contracts within the provisions of sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, and three thousand two hundred and forty-eight of this code.

SECTION 3245. Eight hours' labor constitute a legal day's work in all cases where the same is performed under the authority of any law of this State, or under the direction, control, or by the authority of any officer of this State acting in his official capacity, or under the direction, control, or by the authority of any municipal corporation within this State, or of any officer thereof acting as such; and a stipulation to that effect must be made a part of all contracts to which the State or any municipal corporation therein is a party.

SECTION 3246 (added by chap. 85, acts of 1887). Twelve hours' labor constitutes a day's work on the part of drivers, and conductors, and gripmen of street cars for the carriage of passengers. Any contract for a greater number of hours' labor in one day shall be and is void, at the option of the employé, without regard to the terms of employment, whether the same be by the hour, day, week, month, or any other period of time, or by or according to the trip or trips that the car may, might, or can make between the termini of the route, or any less distance thereof. Any and every person laboring over twelve hours in one day as driver, or conductor or gripman on any street railroad, shall receive from his employer thirty cents for each hour's labor over twelve hours in each day.

SECTION 3247 (added by chap. 85, acts of 1887). In actions to recover the value or price of labor under section three thousand two hundred and forty-six of this code, the plaintiff may include in one action his claim for the number of days, and the number of hours' work over twelve hours in each day, performed by

him for the defendant, and the court shall exclude all evidence of agreement to labor over twelve hours in one day for a less price than thirty cents, and the court shall exclude any receipt of payment for hours of labor over twelve hours in one day, unless it be established that at least thirty cents for each hour of labor over twelve hours in one day has been actually paid, and a partial payment shall not be deemed or considered a payment in full.

SECTION 3249 (added by chap. 85, acts of 1887). The provisions of sections three thousand two hundred and forty-seven * * * * * * * * of this code are applicable to every contract to labor made by the persons named in section three thousand two hundred and forty-six.

SECTION 3250 (added by chap. 85, acts of 1887). No person shall be employed as conductor, or driver, or gripman, on any street railroad, for more than twelve hours in one day, except as in this act provided, and any corporation, or company, or owner, or agent, or superintendent, who knowingly employs any person in such capacity for more than twelve hours in one day, in violation of the terms of this act, shall forfeit the sum of fifty dollars as a penalty for such offense, to the use of the person prosecuting any action therefor, and any number of forfeits may be prosecuted in one action.

VOL. II.—CIVIL CODE.

Wages of minors—To whom payable.

(Page 52.)

SECTION 212. The wages of a minor employed in service may be paid to him until the parent or guardian entitled thereto gives the employer notice that he claims such wages.

Coöperative associations.

(Act of April 1, 1878. Page 63.)

SECTION 1. A coöperative business corporation is a corporation formed for the purpose of conducting any lawful business and of dividing a portion of its profits among persons other than its stockholders. Coöperative business corporations shall be formed under and governed by Division First, Part IV, Title I, of the civil code of the State, and when so formed, may, in their by-laws, in addition to the matters enumerated in section three hundred and three of said code, provide:

1. For the number of votes to which each stockholder shall be entitled; and,
2. The amount of profits which shall be divided among persons other than the stockholders, and the manner in which and the persons among whom such division shall be made.

Exemption from execution, etc.—Homesteads.

(Page 231.)

SECTION 1240. The homestead is exempt from execution or forced sale, except as in this title provid d.

SECTION 1241 (as amended by chap. 71, acts of 1887). The homestead is subject to execution or forced sale in satisfaction of judgments obtained:

1. Before the declaration of homestead was filed for record and which constitute liens upon the premises.
2. On debts secured by mechanics', contractors', sub-contractors', artisans', architects', builders', laborers' of every class, material-men's or vendors' liens upon the premises.
3. On debts secured by mortgages on the premises, executed and acknowledged by husband and wife, or by an unmarried claimant.
4. On debts secured by mortgages on the premises, executed and recorded before the declaration of homestead was filed for record.

Definition of employment.

(Page 344.)

SECTION 1965. The contract of employment is a contract by which one, who is called the employer, engages another, who is called the employé, to do something for the benefit of employer or of a third person.

Obligations of employer.

(Page 345.)

SECTION 1969. An employer must indemnify his employé, except as prescribed in the next section, for all that he necessarily expends or loses in direct consequence of the discharge of his duties as such, or of his obedience to the directions of the employer, even though unlawful, unless the employé, at the time of obeying such directions, believed them to be unlawful.

SECTION 1970. An employer is not bound to indemnify his employé for losses suffered by the latter in consequence of the ordinary risks of the business in which he is employed, nor in consequence of the negligence of another person employed by the same employer in the same general business, unless he has neglected to use ordinary care in the selection of the culpable employé.

SECTION 1971. An employer must in all cases indemnify his employés for losses caused by the former's want of ordinary care.

Obligations of the employé.

(Page 346.)

SECTION 1975. One who, without consideration, undertakes to do a service for another, is not bound to perform the same, but if he actually enters upon its performance, he must use at least slight care and diligence therein.

SECTION 1976. One who, by his own special request, induces another to intrust him with the performance of a service, must perform the same fully. In other cases one who undertakes a gratuitous service may relinquish it at any time.

SECTION 1977. A gratuitous employé who accepts a written power of attorney must act under it so long as it remains in force, or until he gives notice to his employer that he will not do so.

SECTION 1978. One who, for a good consideration, agrees to serve another must perform the service, and must use ordinary care and diligence therein, so long as he is thus employed.

SECTION 1979. One who is employed at his own request to do that which is more for his own advantage than for that of his employer must use great care and diligence therein to protect the interest of the latter.

SECTION 1980. A contract to render personal service, other than a contract of apprenticeship, * * * can not be enforced against the employé beyond the term of two years from the commencement of service under it; but if the employé voluntarily continues his service under it beyond that time, the contract may be referred to as affording a presumptive measure of the compensation.

SECTION 1981. An employé must substantially comply with all the directions of his employer concerning the service on which he is engaged, except where such obedience is impossible or unlawful, or would impose new and unreasonable burdens upon the employé.

SECTION 1982. An employé must perform his service in conformity to the usage of the place of performance, unless otherwise directed by his employer, or unless it is impracticable, or manifestly injurious to his employer to do so.

SECTION 1983. An employé is bound to exercise a reasonable degree of skill, unless his employer has notice, before employing him, of his want of skill.

SECTION 1984. An employé is always bound to use such skill as he possesses, so far as the same is required, for the service specified.

SECTION 1985. Everything which an employé acquires by virtue of his employment, except the compensation, if any, which is due to him from his employers, belongs to the latter, whether acquired lawfully or unlawfully, or during or after the expiration of the term of his employment.

SECTION 1986. An employé must, on demand, render to his employer just accounts of all his transactions in the course of his service, as often as may be reasonable, and must, without demand, give prompt notice to his employer of everything which he receives for his account.

SECTION 1987. An employé who receives anything on account of his employer, in any capacity other than that of a mere servant, is not bound to deliver it to him until demanded, and is not at liberty to send it to him from a distance, without demand, in any mode involving greater risk than its retention by the employé himself.

SECTION 1988. An employé who has any business to transact on his own account, similar to that intrusted to him by his employer, must always give the latter the preference.

SECTION 1989. An employé who is expressly authorized to employ a substitute is liable to his principal only for want of ordinary care in his selection. The substitute is directly responsible to the principal.

SECTION 1990. An employé who is guilty of a culpable degree of negligence is liable to his employer for the damage thereby caused to the latter; and the employer is liable to him, if the service is not gratuitous, for the value of such services only as are properly rendered.

SECTION 1991. Where service is to be rendered by two or more persons jointly, and one of them dies, the survivor must act alone, if the service to be rendered is such as he can rightly perform without the aid of the deceased person, but not otherwise.

Termination of employment.

(Page 348.)

SECTION 1996. Every employment in which the power of the employé is not coupled with an interest in its subject is terminated by notice to him of:

1. The death of the employer; or,
2. His legal incapacity to contract.

SECTION 1997. Every employment is terminated:

1. By the expiration of its appointed term;
2. By the extinction of its subject;
3. By the death of the employé; or,
4. By his legal incapacity to act as such.

SECTION 1998. An employé, unless the term of his service has expired, or unless he has a right to discontinue it at any time without notice, must continue his service after notice of the death or incapacity of his employer, so far as is necessary to protect from serious injury the interests of the employer's successor in interest, until a reasonable time after notice of the facts has been communicated to such successor. The successor must compensate the employé for such service according to the terms of the contract of employment.

SECTION 1999. An employment having no specified term may be terminated at the will of either party, on notice to the other, except where otherwise provided by this title.

SECTION 2000. An employment, even for a specified term, may be terminated at any time by the employer, in case of any wilful breach of duty by the employé in the course of his employment, or in case of his habitual neglect of his duty or continued incapacity to perform it.

SECTION 2001. An employment, even for a specified term, may be terminated by the employé at any time, in case of any wilful or permanent breach of the obligations of his employer to him as an employé.

SECTION 2002. An employé, dismissed by his employer for good cause, is not entitled to any compensation for services rendered since the last day upon which a payment became due to him under the contract.

SECTION 2003. An employé who quits the service of his employer for good cause is entitled to such proportion of the compensation which would become due in case of full performance as the services which he has already rendered bear to the services which he was to render as full performance.

Master and servant.

(Page 350.)

SECTION 2009. A servant is one who is employed to render personal service to his employer, otherwise than in the pursuit of an independent calling, and who in such service remains entirely under the control and direction of the latter, who is called his master.

SECTION 2010. A servant is presumed to have been hired for such length of time as the parties adopt for the estimation of wages. A hiring at a yearly rate is presumed to be for one year; a hiring at a daily rate, for one day; a hiring by piecework, for no specified term.

SECTION 2011. In the absence of any agreement or custom as to the term of service, the time of payment, or rate or value of wages, a servant is presumed to be hired by the month, at a monthly rate of reasonable wages, to be paid when the service is performed.

SECTION 2012. Where, after the expiration of an agreement respecting the wages and the term of service the parties continue the relation of master and servant, they are presumed to have renewed the agreement for the same wages and term of service.

SECTION 2013. The entire time of a domestic servant belongs to the master; and the time of other servants to such an extent as is usual in the business in which they serve, not exceeding in any case ten hours in the day.

SECTION 2014. A servant must deliver to his master, as soon as with reasonable diligence he can find him, everything that he receives for his account, without demand; but he is not bound, without orders from his master, to send anything to him through another person.

SECTION 2015. A master may discharge any servant, other than an apprentice, whether engaged for a fixed term or not:

1. If he is guilty of misconduct in the course of his service, or of gross immorality, though unconnected with the same; or,

2. If, being employed about the person of the master, or in a confidential position, the master discovers that he has been guilty of misconduct, before or after the commencement of his service, of such a nature that, if the master had known or contemplated it, he would not have so employed him.

Mates and seamen.

(Page 354.)

SECTION 2049. All persons employed in the navigation of a ship, or upon a voyage, other than the master and mate, are to be deemed seamen within the provisions of this code.

SECTION 2050. The mate and seamen of a ship are engaged by the master, and may be discharged by him at any period of the voyage, for wilful and persistent disobedience or gross disqualification, but can not otherwise be discharged before the termination of the voyage.

SECTION 2051. A mate or seamen is not bound to go to sea in a ship that is not seaworthy; and if there is reasonable doubt of its seaworthiness, he may refuse to proceed until a proper survey has been had.

SECTION 2052. A seaman can not, by reason of any agreement, be deprived of his lien upon the ship, or of any remedy for the recovery of his wages to which he would otherwise have been entitled. Any stipulation by which he consents to abandon his right to wages in case of the loss of the ship, or to abandon any right he may obtain in the nature of salvage, is void.

SECTION 2054. Except as hereinafter provided, the wages of seamen are due when and so far only as freightage is earned, unless the loss of freightage is owing to the fault of the owner or master.

SECTION 2055. The right of a mate or seaman to wages and provisions begins either from the time he begins work, or from the time specified in the agreement for his beginning work, or from his presence on board, whichever first happens.

SECTION 2056. Where a voyage is broken up before departure of the ship, the seamen must be paid for the time they have served, and may retain for their indemnity such advances as they have received.

SECTION 2057. When a mate or seaman is wrongfully discharged, or is driven to leave the ship by the cruelty of the master on the voyage, it is then ended with respect to him, and he may thereupon recover his full wages.

SECTION 2058. In case of loss or wreck of the ship, the seaman is entitled to his wages up to the time of the loss or wreck, whether freightage has been earned or not, if he exerts himself to the utmost to save the ship, cargo, and stores.

SECTION 2063. Desertion of the ship without cause, or a justifiable discharge by the master during the voyage for misconduct, or a theft of any part of the cargo or appurtenances of the ship, or a wilful injury thereto or to the ship, forfeits all wages due for the voyage to a mate or seaman thus in fault.

SECTION 2064. A mate or seaman may not, under any pretext, ship goods on his own account without permission from the master.

Service without employment.

(Page 356.)

SECTION 2078. One who officiously, and without the consent of the real or apparent owner of a thing, takes it into his possession for the purpose of rendering a service about it, must complete such service, and use ordinary care, diligence, and reasonable skill about the same. He is not entitled to any compensation for his service or expenses, except that he may deduct actual and necessary expenses incurred by him about such service from any profits which his service has caused the thing to acquire for its owner, and must account to the owner for the residue.

VOL. III.—CODE OF CIVIL PROCEDURE.

Exemption from execution—Personal property.

(Page 312.)

SECTION 690 (as amended by chap. 84, acts of 1887). The following property is exempt from execution, except as herein otherwise specially provided:

1. Chairs, tables, desks, and books, to the value of two hundred dollars, belonging to the judgment debtor.

2. Necessary household, table, and kitchen furniture belonging to the judgment debtor, including: One sewing machine, stoves, stovepipes, and furniture, wearing apparel, beds, bedding, and bedsteads, hanging pictures, oil paintings and drawings, drawn or painted by any member of the family, and family portraits and their necessary frames, provisions actually provided for individual or family use sufficient for three months, and three cows and their sucking calves, four hogs with their sucking pigs, and food for such cows and hogs for one month.

3. The farming utensils or implements of husbandry of the judgment debtor; also, two oxen, or two horses, or two mules, and their harness, one cart or wagon, and food for such oxen, horses, or mules, for one month; also, all seed, grain, or vegetables actually provided, reserved, or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars, and seventy-five beehives, and one horse and vehicle belonging to any person who is maimed or crippled, and the same is necessary in his business.

4. The tools or implements of a mechanic or artisan necessary to carry on his trade; the notarial seal, records, and office furniture of a notary public; the instruments and chest of a surgeon, physician, surveyor, or dentist, necessary to the exercise of their profession, with their professional libraries and necessary office furniture; the professional libraries of attorneys, judges, ministers of the Gospel, editors, school teachers, and music teachers, and their necessary office furniture; also, the musical instruments of music teachers actually used by them in giving instructions, and all the indexes, abstracts, books, papers, maps, and office furniture of a searcher of records, necessary to be used in his profession.

5. The cabin or dwelling of a miner not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlass, derrick, cars, pumps, tools, implements, and appliances necessary for carrying on any mining operations, not exceeding in value the aggregate sum of five hundred dollars: and two horses, mules, or oxen, with their harness, and food for such horses, mules, or oxen for one month, when necessary to be used in any whim, windlass, derrick, car, pump, or hoisting gear; and also his mining claim, actually worked by him, not exceeding in value the sum of one thousand dollars.

6. Two horses, two oxen, or two mules, and their harness, and one cart or wagon, one dray or truck, one coupé, one hack or carriage, for one or two horses, by the use of which a cartman, drayman, truckman, huckster, peddler, hackman, teamster, or other laborer habitually earns his living, and one horse, with vehicle and harness or other equipments, used by a physician, surgeon, constable, or minister of the Gospel in the legitimate practice of his profession or business, with food for such oxen, horses, or mules for one month.

7. One fishing boat and net, not exceeding the total value of five hundred dollars the property of any fisherman, by the lawful use of which he earns a livelihood.

8. Poultry not exceeding in value twenty-five dollars.

9. The earnings of the judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of execution or attachment, when it appears, by the debtor's affidavit or otherwise, that such earnings are necessary for the use of his family, residing in this State, supported in whole or in part by his labor; but where debts are incurred by any such person, or his wife or family, for the common necessaries of life, the one-half of such earnings above mentioned are nevertheless subject to execution, garnishment, or attachment to satisfy debts so incurred.

10. The shares held by a member of a homestead association duly incorporated, not exceeding in value one thousand dollars, if the person holding the shares is not the owner of a homestead under the laws of this State. All the nautical instruments and wearing apparel of any master, officer, or seaman of any steamer or other vessel.

11. All moneys, benefits, privileges, or immunities accruing or in any manner growing out of any life insurance on the life of the debtor, if the annual premiums paid do not exceed five hundred dollars.

* * * * * * *

13. All arms, uniforms, and accouterments required by law to be kept by any person, and also one gun to be selected by the debtor.

14. * * * No article, however, or species of property mentioned in this section, is exempt from execution issued upon a judgment recovered for its price, or upon a judgment of foreclosure of a mortgage thereon.

Wages preferred—In assignments, administration, etc.

(Page 471.)

SECTION 1204. In all assignments of property, made by any person to trustees or assignees, on account of the inability of the person, at the time of the assignment, to pay his debts, or in proceedings in insolvency, the wages of the miners, mechanics, salesmen, servants, clerks, or laborers employed by such person, to the amount of one hundred dollars each, and for services rendered within sixty days previously, are preferred claims, and must be paid by such trustees or assignees before any other creditor or creditors of the assignor.

SECTION 1205. In case of the death of any employer, the wages of each miner, mechanic, salesman, clerk, servant, and laborer, for services rendered within the sixty days next preceding the death of the employer, not exceeding one hundred dollars, rank in priority next after the funeral expenses, expenses of the last sickness, the charges and expenses of administering upon the estate, and the allowance to the widow and infant children, and must be paid before other claims against the estate of the deceased person.

Wages preferred—In executions, attachments, etc.

(Page 471.)

SECTION 1206. In cases of executions, attachments, and writs of a similar nature, issued against any person, except for claims for labor done, any miners, mechanics, salesmen, servants, clerks, and laborers, who have claims against the defendant for labor done, may give notice of their claims, and the amount thereof, sworn to by the person making the claim, to the creditor and the officer executing either of such writs, at any time before the actual sale of property levied on; and, unless such claim is disputed by the debtor or a creditor, such officer must pay to such person, out of the proceeds of the sale, the amount each is entitled to receive for services rendered within the sixty days next preceding the levy of the writ, not exceeding one hundred dollars. If any or all of the claims so presented, and claiming preference under this section, are disputed by either the debtor or a creditor, the person presenting the same must commence an action within ten days for the recovery thereof, and must prosecute his action with due diligence, or be forever barred from any claim of priority of payment thereof; and the officer shall retain possession of so much of the proceeds of the sale as may be necessary to satisfy such claim until the determination of such action; and in case judgment be had for the claim, or any part thereof, carrying costs, the costs taxable therein shall likewise be a preferred claim, with the same rank as the original claim.

VOL. IV.—PENAL CODE.

Employment, etc., of Chinese.

(Page 51.)

SECTION 178. Any officer, director, manager, member, stockholder, clerk, agent, servant, attorney, employé, assignee, or contractor of any corporation now existing, or hereafter formed under the laws of this State, who shall employ, in any manner or capacity, upon any work or business of such corporation, any Chinese or Mongolian, is guilty of a misdemeanor, and is punishable by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail of not less than fifty nor more than five hundred days, or by both such fine and imprisonment; provided, that no director of a corporation shall be deemed guilty under this section who refuses to assent to such employment, and has such dissent recorded in the minutes of the board of directors.

1. Every person who, having been convicted for violating the provisions of this section, commits any subsequent violation thereof after such conviction is punishable as follows:

2. For each subsequent conviction such person shall be fined not less than five hundred nor more than five thousand dollars, or by imprisonment not less than two hundred and fifty days nor more than two years, or by both such fine and imprisonment.

SECTION 179. Any corporation now existing, or hereafter formed under the laws of this State, that shall employ, directly or indirectly, in any capacity, any Chinese or Mongolian, shall be guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than five hundred nor more than five thousand dollars, and upon the second conviction shall, in addition to said penalty, forfeit its charter and franchise, and all its corporate rights and privileges, and it shall be the duty of the attorney-general to take the necessary steps to enforce such forfeiture.

[*Note.*—The above sections, and section 2 of article 19 of the constitution of the State, which they were enacted to give effect to, were adjudged by the circuit court of the United States to be in conflict with the treaty of the United States with China, and to be, therefore, void. See "*In re Tiburcio Parrot*, 5 Pac. C. L. J., Supplement."]

Sunday labor—Bakers.

(Act of April 16, 1880, page 85.)

SECTION 1. It shall be unlawful for any person engaged in the business of baking to engage or permit others in his employ to engage in the labor of baking, for the purpose of sale, between the hours of six o'clock p. m. on Saturday and six o'clock p. m. on Sunday, except in the setting of sponge preparatory to the night's work: *Provided, however*, That restaurants, hotels, and boarding houses may do such baking as is necessary for their own consumption.

SECTION 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and shall be punishable by imprisonment in the county jail not less than one month nor more than six months, or by a fine of not less than twenty-five nor more than two hundred dollars, or by both fine and imprisonment.

Certain employments of children forbidden.

(Act of March 30, 1878, page 87.)

SECTION 1. Any person, whether as parent, relative, guardian, employer, or otherwise, having the care, custody, or control of any child under the age of sixteen years, who shall exhibit, use, or employ, or who shall in any manner or under any pretense sell, apprentice, give away, let out, or otherwise dispose of any such child to any person, under any name, title, or pretense, in or for the vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, acrobat, contortionist, or rider, in any place whatsoever, or for or in any obscene, indecent, or immoral purpose, exhibition, or practice whatsoever, or for or in any mendicant or wandering business whatsoever, or for or in any business, exhibition, or vocation injurious to the health or dangerous to the life or limb of such child, or who shall cause, procure, or encourage any such child to engage therein, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment: *Provided*, That nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school, or academy, or the teaching or learning of the science or practice of music; or the employment of any such child as a musician at any concert or other musical entertainment, on the written consent of the mayor of the city or president of the board of trustees of the town where such concert or entertainment shall take place.

SECTION 2. Every person who shall take, receive, hire, employ, use, exhibit, or have in custody any child under the age and for any of the purposes mentioned in the preceding section shall be guilty of a like offense, and punished by a like punishment as therein provided.

Engineer of steam boiler—Penalty for neglect, etc.

(Page 95.)

SECTION 349. Every engineer or other person having charge of any steam boiler, steam engine, or other apparatus for generating or employing steam, used in any manufactory, railway, or other mechanical works, who wilfully or from ignorance, or gross neglect, creates, or allows to be created, such an undue quantity of steam as to burst or break the boiler or engine, or apparatus, or cause any other accident whereby human life is endangered, is guilty of a felony.

Hours of labor—Children.

(Page 152.)

SECTION 651. Every person having a minor child under his control, either as a ward or an apprentice, who, except in vinicultural or horticultural pursuits, or in domestic or household occupations, requires such child to labor more than eight hours in any one day, is guilty of a misdemeanor.

Protection of wages of laborers on public works.

(Act of April 1, 1872, page 152.)

SECTION 1. Every person who employs laborers upon the public works, and who takes, keeps, or receives any part or portion of the wages due to such laborers from the State or municipal corporation for which such work is done, is guilty of a felony.

Hiring out minor employés unlawful in certain cases.

(Page 307.)

SECTION 1389 (added by chap. 103, acts of 1887). No minors in the employ of any telephone company, special-delivery company, or association, or any other corporation, or person or persons, engaged in the delivery of packages, letters, notes, messages, or other matter, shall be assigned by such corporations, or person or persons, to hire such minors to the keepers of houses, variety theaters, or other places of questionable repute, or to other persons connected with such places of questionable repute, nor to permit them to enter such places of illegal or questionable calling; * * * this law shall apply alike to managers, superintendents, and agents of such corporations, and to be enforced against them.

Any person violating the provisions of this act shall be guilty of a misdemeanor.

VOL. IV.—STATUTES IN FORCE IN 1885 NOT PRINTED ELSEWHERE IN THE CODES.

Bureau of labor statistics.

(Act of March 3, 1883, page 602.)

SECTION 1. As soon as possible after the passage of this act, and every four years thereafter, the governor of the State shall appoint a suitable person to act as commissioner of a bureau of labor statistics. The headquarters of said bureau shall be located in the city and county of San Francisco; said commissioner to serve for four years, and until his successor is appointed and qualified.

SECTION 3. The duties of the commissioner shall be to collect, assort, systematize, and present in biennial reports to the legislature, statistical details relating to all departments of labor in the State, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the probable chances of all being employed, the operation of labor-saving machinery in its relation to hand labor, etc. Said statistics may be classified as follows:

1. In agriculture;
2. In mechanical and manufacturing industries;
3. In mining;
4. In transportation on land and water;
5. In clerical and all other skilled and unskilled labor not above enumerated;
6. The amount of cash capital invested in lands, buildings, machinery, material, and means of production and distribution generally;
7. The number, age, sex, and condition of persons employed; the nature of their employment; the extent to which the apprenticeship system prevails in the various skilled industries; the number of hours of labor per day; the average length of time employed per annum, and the net wages received in each of the industries and employments enumerated;
8. The number and condition of the unemployed, their age, sex, and nationality, together with the causes of their idleness;
9. The sanitary condition of lands, workshops, dwellings, the number and size of rooms occupied by the poor, etc.; the cost of rent, fuel, food, clothing, and water in each locality of the State; also, the extent to which labor-saving processes are employed to the displacement of hand labor;
10. The number and condition of the Chinese in the State; their social and sanitary habits; number of married and of single; the number employed and the

nature of their employment; the average wages per day at each employment, and the gross amount yearly; the amounts expended by them in rent, food, and clothing, and in what proportion such amounts are expended for foreign and home productions, respectively; to what extent their employment comes in competition with the white industrial classes of the State;

11. The number, condition, and nature of the employment of the inmates of the State prison, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans, and laborers outside of these institutions;

12. All such other information in relation to labor as the commissioner may deem essential to further the object sought to be obtained by this statute, together with such strictures on the condition of labor and the probable future of the same as he may deem good and salutary to insert in his biennial report.

SECTION 4. It shall be the duty of all officers of State departments, and the assessors of the various counties of the State, to furnish, upon the written request of the commissioner, all the information in their power necessary to assist in carrying out the objects of this act; and all printing required by the bureau in the discharge of its duty shall be performed by the State printing department, and at least three thousand (3,000) copies of the printed report shall be furnished the commissioner for free distribution to the public.

SECTION 5. Any person who wilfully impedes or prevents the commissioner or his deputy in the full and free performance of his or their duty shall be guilty of a misdemeanor, and upon conviction of the same shall be fined not less than ten (10) nor more than (50) dollars, or imprisoned not less than seven (7) nor more than thirty (30) days in the county jail or both.

SECTION 6. * * * the officers [of the bureau] * * * shall give to all persons requesting it all needed information which they may possess.

SECTION 7 (as amended by chap. 10, acts of 1889). The commissioner shall have power to send for persons and papers whenever in his opinion it is necessary, and he may examine witnesses under oath, being hereby qualified to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of said commissioner; he shall have free access to all places and works of labor, and any principal, owner, operator, manager, or lessee of any mine, factory, workshop, warehouse, manufacturing or mercantile establishment, or any agent or employé of such principal, owner, operator, manager, or lessee who shall refuse to said commissioner, or his duly authorized representative, admission therein, or who shall, when requested by him, wilfully neglect or refuse to furnish to him any statistics or information pertaining to his lawful duties, which may be in the possession or under the control of said principal, owner, operator, lessee, manager, or agent thereof, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

SECTION 8 (added by chap. 10, acts of 1889). No use shall be made in the reports of the bureau of the names of individuals, firms, or corporations supplying the information called for by this act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs; and any agent or employé of said bureau violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment in the county jail not to exceed six (6) months.

SECTION 9 (as amended by chap. 10, acts of 1889). The commissioner shall appoint a deputy, who shall have the same powers as the said commissioner, and such agents and assistants, not exceeding three, as he may from time to time require * * *.

Mine regulations.

(Act of March 13, 1872, page 633.)

SECTION 1. It shall not be lawful for any corporation, association, owner, or owners of any quartz-mining claims within the State of California, where such corporation, association, owner, or owners employ twelve men daily, to sink down into such mine or mines any perpendicular shaft or incline beyond a depth from the surface of three hundred feet without providing a second mode of egress from such mine, by shaft or tunnel, to connect with the main shaft at a depth of not less than one hundred feet from the surface.

SECTION 2. It shall be the duty of each corporation, association, owner, or owners of any quartz mine or mines in this State, where it becomes necessary to work such mines beyond the depth of three hundred feet, and where the number of men employed therein shall be twelve or more, to proceed to sink another

shaft or construct a tunnel so as to connect with the main working shaft of such mine as a mode of escape from underground accident, or otherwise. And all corporations, associations, owner, or owners of mines as aforesaid, working at a greater depth than three hundred feet, not having any other mode of egress than from the main shaft, shall proceed as herein provided.

SECTION 3. When any corporation, ass ciation, owner, or owners of any quartz mine in this State shall fail to provide for the proper egress as herein contemplated, and where any accident shall occur, or any miner working therein shall be hurt or injured, and from such injury might have escaped if the second mode of egress had existed, such corporation, association, owner, or owners of the mine where the injuries shall have occurred shall be liable to the person injured in all damages that may accrue by reason thereof; and an action at law in a court of competent jurisdiction may be maintained against the owner or owners of such mine, which owners shall be jointly or severally liable for such damages. And where death shall ensue from injuries received from any negligence on the part of the owners thereof, by reason of their failure to comply with any of the provisions of this act, the heirs or relatives surviving the deceased may commence an action for the recovery of such damages * * * .

(Act of March 27, 1874.)

SECTION 1. The owner or agent of every coal mine shall make or cause to be made an accurate map or plan of the workings of such coal mine, on a scale of one hundred feet to the inch.

SECTION 2. A true copy of which map or plan shall be kept at the office of the owner or owners of the mine, open to the inspection of all persons, and one copy of such map or plan shall be kept at the mines by the agent or other person having charge of the mines, open to the inspection of the workmen.

SECTION 3. The owner or agent of every coal mine shall provide at least two shafts, or slopes, or outlets, separated by natural strata of not less than one hundred and fifty feet in breadth, by which shafts, slopes, or outlets distinct means of ingress and egress are always available to the persons employed in the coal mines; *Provided*, That if a new tunnel, slope, or shaft will be required for the additional opening, work upon the same shall commence immediately after the passage of this act, and continue until its final completion, with reasonable dispatch.

SECTION 4. The owner or agent of every coal mine shall provide and establish for every such mine an adequate amount of ventilation, of not less than fifty-five cubic feet per second of pure air, or thirty-three hundred feet per minute, for every fifty men at work in such mine, and as much more as circumstances may require, which shall be circulated through to the face of each and every working place throughout the entire mine, to dilute and render harmless and expel therefrom the noxious, poisonous gases, to such an extent that the entire mine shall be in a fit state for men to work therein, and be free from danger to the health and lives of the men by reason of said noxious and poisonous gases, and all workings shall be kept clear of standing gas.

SECTION 5. To secure the ventilation of every coal mine, and provide for the health and safety of the men employed therein, otherwise and in every respect, the owner, or agent, as the case may be, in charge of every coal mine, shall employ a competent and practical inside overseer, who shall keep a careful watch over the ventilating apparatus, over the air ways, the traveling ways, the pumps and sumps, the timbering, to see as the miners advance in their excavations that all loose coal, slate, or rock overhead is carefully secured against falling; over the arrangements for signaling from the bottom to the top, and from the top to the bottom of the shaft or slope, and all things connected with and appertaining to the safety of the men at work in the mine. He, or his assistants, shall examine carefully the workings of all mines generating explosive gases, every morning before the miners enter, and shall ascertain that the mine is free from danger, and the workmen shall not enter the mine until such examination has been made and reported, and the cause of danger, if any, be removed.

SECTION 6. The overseer shall see that the hoisting machinery is kept constantly in repair and ready for use, to hoist the workmen in and out of the mine.

SECTION 7. The word "owner" in this act shall apply to lessee as well.

SECTION 8. For any injury to person or property occasioned by any violation of this act, or any wilful failure to comply with its provisions, a right of action shall accrue to the party injured for any direct damages he or she may have sustained thereby, before any court of competent jurisdiction.

SECTION 9. For any wilful failure or negligence on the part of the overseer of any coal mine, he shall be liable to conviction of misdemeanor, and punished ac-

cording to law: *Provided*, That if such wilful failure or negligence is the cause of the death of any person, the overseer, upon conviction, shall be deemed guilty of manslaughter.

SECTION 10. All boilers used for generating steam in and about coal mines shall be kept in good order, and the owner or agent thereof shall have them examined and inspected, by a competent boiler-maker, as often as once in three months.

SECTION 11. This act shall not apply to opening a new coal mine.

Hospital for miners.

(Act of March 14, 1881, page 635.)

SECTION 1. There shall be erected, as soon as conveniently may be, upon some suitable site, * * * a public hospital and asylum for the reception, care, medical, and surgical treatment, and relief of the sick, injured, disabled, and aged miners, which shall be known as the "California State Miners' Hospital and Asylum."

SECTION 5. Indigent miners shall be charged for medical attendance, surgical operations, board, and nursing while residents in the hospital and asylum, no more than the actual cost; paying patients, whose friends can pay their expenses, and who are not chargeable upon townships and counties, shall pay according to the terms directed by the trustees.

SECTION 6. The several boards of supervisors of counties, or any constituted authority in the State having care and charge of any indigent sick, or aged person or persons, if satisfactorily proven by them to have been miners, shall have authority to send to the California State Miners' Hospital and Asylum such persons, and they shall be severally chargeable with the expenses of the care, maintenance, and treatment, and removal to and from the hospital and asylum of such patients.

ACTS OF 1889.

CHAPTER 5.—*Factories, workshops, etc.—Health of employés.*

SECTION 1. Every factory, workshop, mercantile or other establishment, in which five or more persons are employed, shall be kept in a cleanly state and free from the effluvia arising from any drain, privy, or other nuisance, and shall be provided, within reasonable access, with a sufficient number of water closets or privies for the use of the persons employed therein. Whenever the persons employed as aforesaid are of different sexes, a sufficient number of separate and distinct water closets or privies shall be provided for the use of each sex, which shall be plainly so designated, and no person shall be allowed to use any water closet or privy assigned to persons of the other sex.

SECTION 2. Every factory or workshop in which five or more persons are employed shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to be injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, as far as practicable, all the gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein, that may be injurious to health.

SECTION 3. No basement, cellar, underground apartment, or other place which the commissioner of the bureau of labor statistics shall condemn as unhealthy and unsuitable, shall be used as a workshop, factory, or place of business in which any person or persons shall be employed.

SECTION 4. If in any factory or workshop any process of work is carried on by which dust, filaments, or injurious gases are generated or produced that are liable to be inhaled by the persons employed therein, and it appears to the commissioner of the bureau of labor statistics that such inhalation could, to a great extent, be prevented by the use of some mechanical contrivance, he shall direct that such contrivance shall be provided, and within a reasonable time it shall be so provided and used.

SECTION 5. Every person, firm, or corporation employing females in any manufacturing, mechanical, or mercantile establishment shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SECTION 6. Any person or corporation violating any of the provisions of this act shall be punished by a fine of not less than fifty nor more than one hundred dollars for each offense.

SECTION 7. It shall be the duty of the commissioner of the bureau of labor statistics to enforce the provisions of this act.

CHAPTER 7.—*Employment, hours of labor, etc., of children.*

SECTION 1. No minor under the age of eighteen shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment, or other place of labor, more than ten hours in one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter days work for one day of the week; and in no case shall the hours of labor exceed sixty hours in a week.

SECTION 2. No child under ten years of age shall be employed in any factory, workshop, or mercantile establishment; and every minor under sixteen years of age when so employed shall be recorded by name in a book kept for the purpose, and a certificate (duly verified by his or her parent or guardian, or if the minor shall have no parent or guardian, then by such minor, stating age and place of birth of such minor,) shall be kept on file by the employer, which book and which certificate shall be produced by him or his agent at the requirement of the commissioner of the bureau of labor statistics.

SECTION 3. Every person or corporation employing minors under sixteen years of age in any manufacturing establishment, shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours per day for each day of the week required of such persons, and in every room where minors under sixteen years of age are employed, a list of their names, with their ages.

SECTION 4. Any person or corporation that knowingly violates or omits to comply with any of the foregoing provisions of this act, or who knowingly employs, or suffers or permits any minor to be employed, in violation thereof, shall, on conviction, be punished by a fine of not less than fifty nor more than two hundred dollars for each and every offense.

SECTION 5. It shall be the duty of the commissioner of the bureau of labor statistics to enforce the provisions of this act.

CHAPTER 264.—*Convict labor.*

SECTION 18. All convicts may be employed by authority of the board of directors, under charge of the wardens respectively and such skilled foremen as he may be deem necessary in the performance of work for the State, or in the manufacture of any article or articles for the State, or the manufacture of which is sanctioned by law. At San Quentin no articles shall be manufactured for sale except jute fabrics. At Folsom after the completion of the dam and canal the board may commence the erection of structures for jute manufacturing purposes. The board of directors are hereby authorized to purchase from time to time such tools, machinery, and materials, and to direct the employment of such skilled foremen as may be necessary to carry out the provisions of this section, and to dispose of the articles manufactured, and not needed by the State, for cash, at private sale, in such manner as provided by law.

SECTION 20. The State board of prison directors shall require of every able-bodied convict confined in a State prison as many hours of faithful labor in each and every day during his term of imprisonment as shall be prescribed by the rules and regulations of the prison. * * *

COLORADO.

CONSTITUTION.

ARTICLE 10.—*Exemption from taxation.*

SECTION 3. * * * the household goods of every person being the head of a family to the value of two hundred dollars shall be exempt from taxation. * * *

ARTICLE 15.—*Certain contracts of employés waiving right to damages void.*

SECTION 15. It shall be unlawful for any person, company or corporation to require of its servants or employés, as a condition of their employment or otherwise, any contract or agreement whereby such person, company or corporation shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employés while in the service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employés thereof, and such contracts shall be absolutely null and void.

ARTICLE 16.—*Mine regulations.*

SECTION 2. The general assembly shall provide by law for the proper ventilation of mines, the construction of escapement shafts, and such other appliances as may be necessary to protect the health and secure the safety of the workmen therein; and shall prohibit the employment in the mines of children under twelve years of age.

SECTION 3. The general assembly may make such regulations, from time to time, as may be necessary for the proper equitable drainage of mines.

ARTICLE 18.—*Exemption from execution, etc.*

SECTION 1. The general assembly shall pass liberal homestead and exemption laws.

GENERAL STATUTES OF 1883.

CHAPTER 16.—*Coal mine regulations and inspection.*

SECTION 176 (as amended by act of April 8, 1885, page 134, acts of 1885). The owner or agent of each coal mine or colliery, in this State, employing ten or more men, shall make, or cause to be made, within six months after the passage of this act, an accurate map or plan of the workings of such coal mine or colliery, on a scale not exceeding one hundred feet to the inch, showing the bearings and distances of the workings, with the general inclinations of the strata, and any material deflections in such workings, and the boundary lines of such coal mine or colliery, which shall be kept for the use of the inspector, at the office of said mine in the county where such coal mine or colliery is located, and which shall be kept up every three months; and shall also deposit a true copy of such map or plan with the inspector of coal mines, and with the recorder of the county in which said coal mine or colliery is situated, to be filed in their respective offices; and said owner or agent shall cause, on or before the tenth day of January in every year, a statement of the workings of such coal mine during the year past, from the last report to the end of the December month just preceding, to be marked on the original map or plan of said coal mine or colliery: *Provided*, If the owner or agent of any coal mine shall neglect, or refuse, or for any cause fail, for the period of one month after the time prescribed, to furnish said map or plan as hereby required, or if the inspector shall find, or have reason to believe, said map or plan is inaccurate in any material part, he is hereby authorized to cause a correct map or plan of the actual workings of such coal mine or colliery to be made, at the expense of the owner thereof, the cost of which shall be recoverable from said owner by an action, as in cases of other debts, and shall cause a copy of the same to be filed in the office of the recorder of the county in which such coal mine or colliery is situated.

SECTION 177 (as amended by act of April 8, 1885, page 134, acts of 1885). It shall not be lawful, after six months from the passage of this act, for the owner or agent of any coal mine, wherein over fifteen thousand square yards have been excavated, to employ or permit more than fifteen persons to work therein, except in opening shafts or outlets, unless there are to every seam of coal worked in each mine, at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets, distinct means of ingress or egress are always available to the persons employed in the mine, and air shafts, in which are constructed and maintained ladder ways, shall be deemed and held to be an escape shaft within the provisions of this act, and no escape shaft shall be required; but it is not necessary for the two outlets to belong to the same mine; the second outlet need not be made until fifteen thousand square yards have been excavated in such mine, and to all other coal mines, whether opened and worked by shafts, slopes or drifts to such openings or outlets, must be provided within twelve months after fifteen thousand square yards have been excavated therein; and in case such outlets are not provided as herein stipulated, it shall not be lawful for the agent or owner of such mine to permit more than fifteen persons to work therein during each twenty-four hours. In case a coal mine has but one shaft, slope or drift for the ingress or egress of the men working therein, and the owner thereof does not own suitable surface ground for another opening, he may select and appropriate any adjoining land for that purpose, and for approach thereto, and shall be governed in his proceedings in appropriating such land by the provisions of law in force providing for the appropriation of private property by corporations, and such appropriation may be made whether he is a corporator or not; but no land shall be appropriated under the provisions of this act until the court is satisfied that suitable premises can not be obtained by contract upon reasonable terms. Escapement

shafts or other communication with a contiguous mine, as aforesaid, shall be constructed in connection with every vein or stratum of coal worked in such coal mine or colliery, as provided herein.

SECTION 178 (as amended by act of April 8, 1885, page 134, acts of 1885). In all cases where the human voice can not be distinctly heard, the owner or agent shall provide and maintain a metal tube from top to the bottom of the shaft or shaft, or a telephone connection suitably adapted to the free passage of sound, through which conversation may be held between persons at the bottom and at the top of the shaft or slope; also the ordinary means of signaling to and from the top and bottom of the shaft or slope; and in the top of every shaft shall keep an approved safety gate and an approved safety catch, and sufficient cover overhead on every carriage used for lowering and hoisting persons; and the said owner or agent shall see that sufficient flanges or horns are attached to the sides of the drum of every machine that is used for lowering and hoisting persons in and out of the mine, and also, that adequate brakes are attached thereto; the main link, attached to the swivel of the wire rope, shall be made of the best quality of iron, and shall be tested by weights satisfactory to the inspector of mines of the State; and bridle chains shall be attached to the main link from the cross pieces of the carriage; and no single link chain shall be used for lowering or raising persons into or out of said mine; and not more than five persons for each ton capacity of the hoisting machinery used at any coal mine, shall be lowered or hoisted by the machine at any one time.

SECTION 179 (as amended by act of April 8, 1885, page 134, acts of 1885). The owner or agent of every coal mine or colliery, whether shaft, slope or drift, shall provide and maintain for every such mine an amount of ventilation not less than one hundred cubic feet, and such additional number of cubic feet as may be ordered by said mine inspector, per minute, per person employed in such mine, and also an amount of ventilation of not less than five hundred cubic feet per minute for each mule or horse used in said mine, which shall be circulated and distributed throughout the mine in such a manner as to dilute and render harmless and repel the poisonous and noxious gases from each and every working place in the mine, and break-throughs or airways shall be driven as often as the inspector of mines may order, at the different mines inspected by him, and all break-throughs or airways, except those last made near the working faces of the mines, shall be closed up and made air tight by brattice, trap doors or otherwise, so that the currents of air in circulation in the mine may sweep to the interior of the mine, where the persons employed in such mine are at work; and all mines governed by this statute shall be provided with artificial means of producing ventilation, when necessary, to provide a sufficient quantity of air, such as fanning, or suction fans, exhaust steam furnaces, or other contrivances of such capacity and power as to produce and maintain an abundant supply of air; but, in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining the upcast with an incombustible material for a sufficient distance up from the said furnace. All mines generating fire damp shall be kept free from standing gas, and every working place shall be carefully examined every morning with a safety lamp, by a competent person or persons, before any of the workmen are allowed to enter the mine; and the person making such examination shall mark on the face of the workings the day of the month; and in all mines, whether they generate fire damp or not, the doors used in assisting or directing the ventilation of the mine shall be so hung and adjusted that they will shut up of their own accord, and can not stand open; and the owner or agent shall employ a practical and competent inside overseer, to be called a "mining boss," who shall keep a careful watch over the ventilating apparatus, and the airways, travelling ways, pumps, timbers and drainage; also, shall see that, as the miners advance their excavations, that all loose coal, slate and rock overhead are carefully secured against falling in or upon the travelling ways, and that sufficient timber, of suitable lengths and sizes, is furnished for the places where they are to be used, and placed in the working places of the mines; and he shall measure the ventilation at least once a week, at the inlet and outlet, and also at or near the face of all the entries; and the measurement of air so made shall be noted on blanks, furnished by the mine inspector; and on the first week day of each month the "mining boss" of each mine shall sign one of such blanks, properly filled, and forward the same by mail to said mine inspector, a copy of which shall be filed at the office of the coal company, subject to inspection by miners.

SECTION 180 (as amended by act of April 8, 1885, page 134, acts of 1885). No person shall knowingly be employed as an engineer or mining boss, or take charge of any machinery or appliance whereby men are lowered into or hoisted

out of any mine, but an experienced, competent and sober person; and no person shall ride upon a loaded wagon or cage used for hoisting purposes in any shaft or slope. No young person under 12 years of age, or woman or girl of any age, shall be permitted to enter any coal mine to work therein, nor any person under the age of 16 years, unless he can read and write.

SECTION 181, (as amended by act of April 8, 1885, page 134, acts of 1885). All safety lamps, used for examining or working coal mines, shall be the property of the owner of the mine, and shall be under the charge of the agent thereof. The term "owner" in this act shall mean the immediate proprietor, lessee, or occupier of any coal mine, or colliery, or any part thereof; and the term "agent" shall mean any person having, on behalf of the owner as aforesaid, the care and management of any coal mine, or colliery, or any part thereof.

SECTION 182, (as amended by act of April 8, 1885, page 134, acts of 1885). All boilers used in generating steam in and about coal mines and collieries, shall be kept in good order, and the owner or agent, as aforesaid, shall have said boilers examined and inspected, by a competent boiler-maker, or other well-qualified person, as often as once every six months, and the result of every such examination shall be certified, in writing, to the mining inspector; and every steam boiler shall be provided with a proper steam gauge, water gauge, and safety valve; and all underground, self-acting, or engine planes, or gauge ways, on which coal cars are drawn and persons travel shall be provided with some proper means of signalling between the stopping places and the ends of said planes or gauge ways; and sufficient places of refuge, at the sides of said planes or gauge ways, shall be provided, at intervals of not more than fifty feet apart; and there shall be cut, in the side of every hoisting shaft, at the bottom thereof, a travelling way, sufficiently high and wide to enable persons to pass the shaft, in going from one side of the mine to the other, without passing over or under the cage or hoisting apparatus.

SECTION 183, (as amended by act of April 8, 1885, page 134, acts of 1885). Whenever loss of life, or serious personal injury, shall occur, by reason of any explosion, or of any accident whatsoever, in or about any coal mine, or colliery, it shall be the duty of the owner or agent thereof to give notice to the mine-inspector, and, if any person is killed thereby, to the coroner of the county also, and the inspector shall immediately go to the scene of said accident and render such assistance as he may deem necessary for the safety of the men, and shall ascertain, by the testimony before the coroner, or by taking other evidence, the cause of such explosion or accident, and file record thereof in his office.

SECTION 184, (as amended by act of April 8, 1885, page 134, acts of 1885). In all coal mines in the State, the miners employed and working therein, the owners of the land, or other person interested in the rental or royalty of any such mine, shall at all proper times have full right of access to, and examinations of, all scales, machinery or apparatus used in or about such mine; to determine the quality of the coal mined, for the purpose of testing the accuracy of all such scales, machinery, or apparatus; and such landowners or other persons may designate or appoint a competent person to act for them, who shall at all proper times have full right of access to, and examination of, such scales, machinery, or apparatus, and seeing all weights and measures of coal mined, and the accounts kept of the same; but not more than one person, on behalf of the landowners, or other person interested in the rental or royalty, jointly, shall have such right of access, examination and inspection of scales, weights, measures and accounts, at the same time, and that such persons shall make no unnecessary interference with the use of such scales, machinery, or apparatus, and the miners employed in any mine may, from time to time, appoint two of their number to act as a committee to inspect, not oftener than once in every month, the mine and the machinery connected therewith, and to measure the ventilating current, and, if the owner, agent, or manager so desires, he may accompany said miners, by himself, or two or more persons whom he may appoint for that purpose. The owner, agent, or manager shall afford every necessary facility for making such inspection and measurement; but the said miners shall not in any way interrupt or impede the work going on in the mine at the time of such inspection and measurement.

SECTION 185, (as amended by act of April 8, 1885, page 134, acts of 1885). Any miners, workmen or other person, who shall intentionally injure any shaft, lamp, instrument, air course or brattice, or obstruct or throw open air ways or open a door and not close it again, or carry lighted pipes or matches into places that are worked by safety lamps, or handle or disturb any part of the machinery, or enter any place of the mine against caution, or who wilfully neglects or refuses to securely prop the roof of any working place under his control, or disobey any

order given in carrying out the provisions of this act, or do any other act whereby the lives or the health of persons, or the security of the mines or machinery is endangered, shall be deem d guilty of a misdemeanor, and upon conviction may be punished by a fine of not less than twenty-five dollars, nor more than two hundred dollars, or may be imprisoned in the county jail not less than thirty days, nor more than one year, or may be punished by both such fine and imprisonment at the discretion of the court.

SECTION 186, (as amended by act of April 8, 1885, page 134, acts of 1885). In case any owner or agent disregards the requirements of this act, any court of competent jurisdiction may, on application of the inspector, by civil action in the name of the State, enjoin or restrain the owner or agent from working or operating such mine with more than twelve miners under ground during each twenty-four hours, until it is made to conform to the provisions of this act. And such remedy shall be cumulative, and shall not take the place of or affect any other proceedings against such owner or agent, authorized by law for the matter complained of in such action.

SECTION 187, (as amended by act of April 8, 1885, page 134, acts of 1885). For any injury to person or property occasioned by any violation of this act, or any wilful failure to comply with its provisions by any owner or lessee or operator, of any coal mine or opening, a right of action against the party at fault shall accrue to the party injured for the direct damages sustained thereby, and in any case of loss of life by reason of such violation or failure, a right of action against the owners and operators of such coal mine or colliery shall accrue to the widow and lineal heirs of the person whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

SECTION 188, (as amended by act of April 8, 1885, page 134, acts of 1885). The provisions of this act shall not apply to or affect any coal mine in which not more than ten men are employed underground during each twenty-four hours, but on the application of the proprietor, or of the miners in any such mine, or when the mine-inspector may deem it necessary, said mine-inspector shall make, or cause to be made, an inspection of such mine, and shall direct and enforce any regulations in accordance with the provisions of this act, that he deems necessary for the safety and health of miners.

SECTION 189, (as amended by act of April 8, 1885, page 134, acts of 1885). That the board of examiners heretofore appointed under the provisions of this act concerning coal mines, approved February 24th, 1883, and amended by this act, shall hold their office for and during the time for which they were appointed, to wit: until January 1st, A. D. 1887. And it shall be the duty of the board of examiners to meet at such times, and at such places within this State, as may be directed by the governor of this State, and examine such persons as may present themselves for examination, touching their qualifications for the office of mine-inspector, as provided in this act, and shall inquire into their character and qualifications, and shall certify the names of such persons as they shall find to be competent to fill such office of mine-inspector, to the governor, which list of names, so certified, shall be placed on file in the office of the secretary of state. Members of such board of examiners shall, before entering upon their duties, take and subscribe the following oath, viz: We, the undersigned, do solemnly swear, (or affirm), that we will perform the duties of examiners of applicants for appointment of inspector of coal mines to the best of our abilities, and that in recommending or rejecting said applicants we will be governed by the evidence of qualifications to fill the position under the law creating the same, and not by any consideration of political or personal favors; that we will certify all whom we may find qualified, according to the true intent and meaning of the act, and none others, to the best of our judgments. The qualifications of candidates for said office of inspector of mines, to be inquired into and certified by said examiners, shall be as follows, namely: They shall be citizens of the United States, of temperate habits, of good repute as men of personal integrity, shall have attained the age of thirty years, and shall have had at least one year's experience in the working of the coal mines of Colorado, and five years of practical experience in the workings of coal mines in the United States, and have a practical knowledge of mining engineering, and of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines, particularly fire damp. The board of examiners shall receive six dollars per day, and the same mileage as is allowed to members of the legislature, to be paid out of the State treasury, upon the filing of the certificates of the examining board in the office of the secretary of state, as hereinbefore provided. As often as vacancies in said office of inspector of mines shall occur, by death, resignation, or malfeasance in office, which shall be determined *in the same manner as* in the case of any other officer of the State government,

the governor shall fill the same, by appointment, for the unexpired term, from the names on file in the office of the secretary of state, as hereinbefore mentioned as having passed examination. On January 1st, A. D. 1887, and every four years thereafter, the governor shall appoint one reputable mining engineer, of known ability, and shall notify the judges of four of the judicial districts of the State, within which coal mines are being operated, to each appoint one reputable coal-miner, of known experience and practice, from their respective districts, and the five so appointed shall constitute a new board of examiners, whose duties, term of service, and compensation, shall be the same as those provided for by this section; and from the names that may be certified by them the governor shall appoint the inspector of mines provided for in this act. Nothing in this act shall be construed to prevent the reappointment of any inspector of coal mines. The inspector of coal mines shall receive for his services an annual salary of two thousand dollars, and ten cents per mile mileage for all distances travelled in the discharge of his official duties, to be paid monthly by the State treasurer; and said inspector shall reside in the State, and shall keep an office at the capitol, or other building in which the offices of the State are located. Each inspector is hereby authorized to procure such instruments, and chemical tests, and stationery, from time to time, as may be necessary to the proper discharge of his duties under this act, at the expense of the State, which shall be paid by the State treasurer, upon accounts duly certified by him and audited by the proper department of the State. All instruments, plans, books, memoranda, notes, *et cetera*, pertaining to the office, shall be the property of the State, and shall be delivered to their successors in office.

SECTION 190, (as amended by act of April 8, 1885, page 134, acts of 1885). The inspector of coal mines shall, before entering upon the discharge of his duties, give bond, in the sum of five thousand dollars, with sureties to be approved by the judge of the district court in which he resides, conditioned for the faithful discharge of his duty, and take an oath (or affirmation) to discharge his duties impartially and with fidelity, to the best of his knowledge and ability.

SECTION 191, (as amended by act of April 8, 1885, page 134, acts of 1885). No person acting as a manager or agent of any coal mine, or as a mining engineer for any coal mining company, or to be interested in operating any coal mine, shall at the same time act as an inspector of coal mines under this act.

SECTION 192, (as amended by act of April 18, 1889, page 67, acts of 1889). The inspector of coal mines and his deputy shall devote the whole of their time to the duties of their office. It shall be the duty of the inspector or his deputy to enter into and thoroughly examine all coal mines in this State in which more than ten men are employed at least once each quarter, to see that all the provisions of this act are observed and strictly carried out and the inspector or his deputy, or both, may enter, inspect and examine any coal mine in the State, and the works and machinery belonging thereto, at all reasonable times, by night or day, but so as to not unnecessarily obstruct or impede the workings of the mine; and the owner or any agent of such mine is hereby required to furnish the means necessary for such entry and inspection. The inspector shall make to the governor of the State a biennial report, which shall show the number of coal mines, and development on the same, during each year, and of persons employed in and about each mine, and the extent to which the law is obeyed, the progress made in the improvement sought to be secured by the passage of this act; the number of accidents and deaths resulting from injuries received in coal mines; as also statistics showing output of coal and development made annually at each mine, with all facts concerning the production and transportation of coal to market, and other facts of public interest coming under the provisions of this act; which record shall be filed in the inspector's office. * * * The inspector is hereby authorized to employ a deputy inspector, and such clerical assistance as may be required in his office. * * *

SECTION 193, (as amended by act of April 18, 1889, page 67, acts of 1889). The owner, agent or lessee of each coal mine or colliery in this State, employing ten or more men, shall, when working in close proximity to an abandoned mine or part of a mine containing water or fire damp, cause bore holes to be kept at least twelve feet in advance of the coal face and sides of all working places, in such mine or colliery known to be approaching old and abandoned workings, side holes to be not more than ten feet apart; and said owner or agent shall cause all abandoned shafts, air shafts, slopes, slack piles or cave holes to be securely and safely fenced off; and in all bituminous and lignite coal mines coming under the provisions of this act, the State inspector of coal mines shall have the authority to compel the owners, agents or lessees of coal mines to remove any or all fine coal or slack which may accumulate in the working places or gobs, and

where gob fires or spontaneous combustion are known or even suspected to exist, a careful inspection shall be made daily of the workings by the mine boss or another competent person, and if an increase of temperature be localized in any part of the gobs or other places, prompt action shall be taken to remove the heated gob or débris, or extinguish the fire by water or other contrivance; but if the fire has already reached such proportions that it is impossible to extinguish it in that way, then it shall be the duty of the superintendent, or mine boss in the absence of the superintendent, to at once build suitable stoppings of double walls of a concave shape, and at least two feet apart, with ends top and bottom, built into cuttings made into the coal or rock, and the center between the walls to be filled in with sand or other fine earthy matter, which shall be closely tamped, so as to fill up all cracks and crevices, the outside of said walls to be carefully plastered with lime and cement, so as to completely isolate the fire from air. Should combustion still be suspected to be going on, then steam, where practical, shall be injected towards the fire from pipes in connection with boilers, and passing through said walls or stoppings, or to flood with water the site of the fire; and that in all coal mines known to generate explosive gas, that the owner or agent shall provide and adopt a system by which water under pressure or otherwise shall be sprinkled and make damp all accumulations of fine coal dust from time to time that may accumulate on any haulage road. Also, that no owner or agent shall use any part of the underground workings of such coal mines, as a magazine for the storage of gunpowder or any other kind of blasting agent; on all underground roads where coal is hauled by machinery, and where the grade will average more than six (6) feet to the hundred (100) and which are used for travelling ways for men, double draw-bars shall be attached to the bottom or other parts of every car, so that two separate couplings may be used to connect each and every car lowered or hoisted on any road coming under this act, and that the hooks which connect with the draw-bar of the car shall be so constructed, with a clevice or other contrivance, so as to prevent them from becoming detached while the cars are in motion on the slope; also that double chains, with approved safety hooks, shall be attached to the socket of the hoisting rope. *Provided*, That any appliance other than those herein required may be used in the construction and hoisting of cars which may accomplish the same result with equal safety and security to life and limb.

SECTION 194, (as amended by act of April 8, 1885, page 134, acts of 1885). The mining boss, or other competent person, shall make daily inspection of ropes, chains, cages and other hoisting appliances, guides and shaft timbers, and make a record of such daily inspection in a book, kept at the office of the mine, for that purpose, and the fire boss shall keep a daily record of any defects in the ventilating appliances, and any standing gas that may be found in said mine, designating the entry and room in which said gas is found. Each of the records herein required to be kept shall be open at all times to the mine inspector's and miners' committee's inspection, and a copy thereof shall be filed in the office of said mine inspector on the first Monday of December of each year.

SECTION 195, (as amended by act of April 8, 1885, page 134, acts of 1885). The neglect or refusal to perform the duties required to be performed by any section of this act, or the violation of any of the provisions hereof, shall be deemed a misdemeanor, and any person so neglecting or refusing to perform such duties, or violating such provisions, shall, upon conviction, be punished by fine of not less than one hundred dollars, nor exceeding five hundred dollars, at the discretion of the court, and all penalties recovered under this act shall be paid into the treasury of the State.

CHAPTER 25.—*Convict labor.*

SECTION 938. It shall be the duty of the keepers of the said several prisons, when any person shall be sentenced to hard labor therein, and any mode of labor shall be provided to cause such prisoner to be kept constantly employed during every day, Sundays excepted, and annually to account with the board of county commissioners for the proceeds of such labor; and in all such cases it shall be lawful for the said jailer, with the consent of the county commissioners of the county in which such jail may be situated, to provide labor for such prisoners, if they deem it expedient and profitable so to do, either inside the jail or outside of its limits.

SECTION 939. The keepers of said prisons shall respectively have power, with the consent of the county commissioners of said counties, from time to time to cause such of the convicts under their charge as are capable of hard labor to be employed on any of the public avenues, streets, highways or other works, quarries or mines, in the county in which such prisoners shall be confined, or

in any of the adjoining counties, upon such terms as may be agreed upon between the said keepers and the officers or other persons under whose directions such convicts shall be placed.

CHAPTER 51.—*Exemption from execution, etc.—Homesteads.*

SECTION 1631. Every householder in the State of Colorado, being the head of a family, shall be entitled to a homestead not exceeding in value the sum of two thousand dollars, exempt from execution and attachment, arising from any debt, contract or civil obligation. * * *

SECTION 1633. Such homestead shall only be exempt as provided in [section 1631] while occupied as such by the owner thereof, or his or her family.

SECTION 1634. When any person dies seized of a homestead, leaving a widow, or husband, or minor children, such widow, or husband, or minor children, shall be entitled to the homestead; but in case there is neither widow, husband, nor minor children, the homestead shall be liable for the debts of the deceased.

SECTION 1635. The homestead mentioned in this act may consist of a house and lot or lots, in any town or city, or of a farm consisting of any number of acres, so that the value does not exceed two thousand dollars.

SECTION 1638. In case of the sale of said homestead, any subsequent homestead acquired by the proceeds thereof shall also be exempt from execution or attachment, nor shall any judgment or other claim against the owner of such homestead be a lien against the same in the hands of a *bona fide* purchaser. * * *

CHAPTER 54.—*State Industrial School.*

SECTION 1652. There shall be established in this State an institution under the name and style of the "State industrial school."

SECTION 1653. The general supervision and government of said industrial school shall be vested in a board of control, to consist of three members, who shall be appointed by the governor, by and with the advice and consent of the senate. * * * The members of said board of control shall constitute a body corporate under the name and style of the "board of control of the State industrial school." * * *

SECTION 1663. When any boy under the age of 16 years, and over the age of 7 years, shall be convicted of any offense known to the laws of this State and punishable by fine or imprisonment, or both, except such as may be punishable by imprisonment for life, the court or justice, as the case may be, before whom such conviction shall be had, may, at its discretion, sentence such boy to the State industrial school. * * * All commitments to the industrial school, of boys of whatever age when committed, shall be for a term not longer than during their minority, nor less than nine months, unless sooner discharged by the order of the board of control. * * *

SECTION 1665. Any parent may indenture his or her boy, or any guardian may indenture a male ward, to the State industrial school for such length of time as may be agreed upon by such parent or guardian, and the board of control of said school, on condition that such parent or guardian shall pay the expenses of such boy or ward so indentured as aforesaid, while at said school.

SECTION 1668. No commitment or sentence of any person or persons to said industrial school shall be made for a greater period than three years, or of an age under ten years.

SECTION 1669. It shall be lawful for the board of control, whenever in their discretion they may deem any one of the boys detained in the said institution to have become so far reformed as to justify his discharge, to liberate such boy, or to bind him by articles of indenture for that purpose to be entered into, to any suitable person who will engage to instruct such boy in some proper art or trade, according to the terms of said indenture.

SECTION 1671. All the provisions of this act concerning boys shall be equally, [and] in like manner applicable to girls, and girls shall be received and cared for by the board of control of the State industrial school, as boys are received and cared for. * * *

CHAPTER 60.—*Exemption from execution, etc.—Personal property.*

SECTION 1865. The necessary wearing apparel of every person shall be exempt from execution, writ of attachment and distress for rent.

SECTION 1866. The following property, when owned by any person being the head of a family and residing with the same, shall be exempt from levy and sale upon any execution or writ of attachment, or distress for rent, and such articles

of property shall continue exempt while the family of such person are removing from one place of residence to another within this State:

First. Family pictures, school books, and library.

Second. A seat or pew in any house or place of public worship.

Third. The sites of burial of the dead.

Fourth. All wearing apparel of the debtor and his family; all beds, bedsteads, and bedding, kept and used for the debtor and his family; all stoves and appendages, kept for the use of the debtor and his family; all cooking utensils; and all the household furniture not herein enumerated, not exceeding one hundred dollars in value.

Fifth. The provisions for the debtor and his family, necessary for six months, either provided or growing, or both; and fuel necessary for six months.

Sixth. The tools and implements, or stock in trade, of any mechanic, miner or other person, used and kept for the purpose of carrying on his trade or business, not exceeding two hundred dollars in value.

Seventh. The library and implements of any professional man, not exceeding three hundred dollars.

Eighth. Working animals to the value of two hundred dollars.

Ninth. One cow and calf, ten sheep, and the necessary food for all the animals herein mentioned, for six months, provided or growing, or both; also, one farm wagon, cart or dray, one plough, one harrow, and other farming implements, including harness and tackle for team, not exceeding fifty dollars in value. *Provided*, That nothing in this chapter shall be so construed as to exempt any property of any debtor from sale for the payment of any taxes whatever, legally assessed: *And provided further*, That no article of property above mentioned shall be exempt from attachment, or sale on execution for the purchase money for said article of property: *And provided also further*, That the tools, implements, working animals, books and stock in trade, not exceeding three hundred dollars in value, of any mechanic, miner or other person not being the head of a family, used and kept for the purpose of carrying on his trade and business, shall be exempt from levy and sale on any execution or writ of attachment while such person is a *bona fide* resident of this State.

SECTION 1867. Whenever in any case the head of a family shall die, desert, or cease to reside with the same, the said family shall be entitled to and receive all the benefit and privileges which are in this chapter conferred upon the head of a family residing with the same.

SECTION 1869. If any debtor shall be engaged in removing his or her property from this State, such property shall not be exempt from levy and sale under execution or attachment: *Provided*, That nothing in this chapter contained shall be held to authorize the levying upon and selling the necessary wearing apparel or beds and bedding of any debtor, or of the family of any debtor, under any execution or attachment.

CHAPTER 72.—*Earnings of married women.*

SECTION 2271. Any married woman may * * * perform any labor or services, on her sole and separate account, and the earnings of any married woman, from her * * * labor or services, shall be her sole and separate property, and may be used and invested by her in her own name; and she may sue and be sued as if sole, in regard to her * * * labor, services and earnings, and her property acquired by * * * services, and the proceeds thereof, may be taken on any execution against her.

CHAPTER 86.—*Convict labor.*

SECTION 2566. * * * he [the warden] shall employ such a number of convicts in making such improvements as said commissioners may deem advisable, and he shall employ the remainder of the convicts in such labor as may be most advantageous to the penitentiary: *Provided, however*, That he shall classify the convicts, and if it shall be more in the interest of the penitentiary to hire out the labor of the convicts, to be worked under the superintendence of the warden, he may hire out such labor with the consent of the commissioners.

SECTION 2576. The warden, under the direction of the board of commissioners, shall hire out the labor of the convicts to the best advantage, but in no case shall a convict be allowed to go out to labor without being under the custody of a guard or overseer of the penitentiary.

SECTION 2577. That no labor shall be performed by the convicts of the Colorado State Penitentiary off the grounds belonging to said penitentiary, except such as may be incident to the business and management of the penitentiary: *Provided*, That this act shall not be construed to affect any existing contract.

ACTS OF 1885.

Wages preferred—In assignments.

(Page 48.)

SECTION 25. The valid claims of servants, laborers and employés of the assignor, for wages earned during the six months next preceding the date of the assignment, not to exceed fifty dollars to any one person then unpaid, and still held by the person who earned the same, and all taxes assessed under the laws of this State, or of the United States, shall be preferred claims and be paid in full, prior to the payment of the dividends in favor of other creditors.

Certain employment of children forbidden.

(Page 124.)

SECTION 1. That it shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out, or otherwise dispose of any such child to any person in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, riding or acrobat, in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music.

SECTION 2. It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child under the age and for the purpose prohibited in the first section of this act.

SECTION 4. Any person who shall be convicted of violating any of the provisions of the preceding sections, shall, for the first offense, be fined not exceeding one hundred dollars, or imprisonment in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense shall be fined in any sum not exceeding five hundred dollars, or imprisonment in the penitentiary for a term not exceeding two years, or both, in the discretion of the court.

Exemption from garnishment, etc.—Wages.

(Page 262.)

SECTION 1, (as amended by act of March 19, 1889, page 463, acts of 1889). There shall be exempt from levy under execution or attachment or garnishment fifty per cent. of the wages or earnings of any debtor earned during the thirty days next preceding such levy under execution, attachment or garnishment of the same: *Provided*, That in no case shall the amount so exempted be less than thirty dollars; *Provided further*, Such debtor shall, at the time of such levy under execution, attachment or garnishments, be the head of a family or the wife of the head of a family, and such family is dependent, in whole or in part, upon such wages or earnings for support. * * *

Seats for female employés.

(Page 297.)

SECTION 1. Every person, corporation or company employing females in any manufacturing, mechanical or mercantile establishments in this State, shall provide suitable seats for the use of of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SECTION 2. Any person, corporation or company violating any of the provisions of this act, shall be punished by fine of not less than ten dollars nor more than thirty dollars for each offense.

ACTS OF 1887.

Blacklisting.

(Page 58.)

SECTION 1. No corporation, company or individual shall blacklist, or publish, or cause to be blacklisted or published, any employé, mechanic or laborer, discharged by such corporation, company or individual, with the intent and for

the purpose of preventing such employé, mechanic or laborer from engaging in or securing similar or other employment from any other corporation, company or individual.

SECTION 2. If any officer, or agent of any corporation, company or individual, or other person, shall blacklist, or publish, or cause to be blacklisted or published, any employé, mechanic, or laborer, discharged by such corporation, company or individual, with the intent and for the purpose of preventing such employé, mechanic or laborer from engaging in or securing similar or other employment, from any other corporation, company or individual, or shall in any manner conspire or contrive by correspondence, or otherwise, to prevent such discharged employé from securing employment, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty (50), nor more than two hundred and fifty (250) dollars, or be imprisoned in the county jail not less than thirty, nor more than ninety days, or both.

Bureau of Labor Statistics.

(Page 62.)

SECTION 1. That there is hereby established a separate and distinct bureau to be known as the bureau of labor statistics of the State of Colorado, which bureau shall be charged with the collection of statistics pertaining to the internal resources of the State, labor and agricultural. The secretary of state shall be designated the *ex officio* commissioner of said bureau. He shall appoint a deputy within ten (10) days after the approval of this act, who shall hold his office for the term of two years. He shall be an elector of this State, well versed in the collection of statistics, and matters relating thereto. The deputy of statistics shall, within twenty days after receiving his commission, and before entering upon the duties of his office, give bonds to the State of Colorado in the sum of two thousand (2,000) dollars, to be approved by the attorney-general. Said deputy shall receive an annual salary of eighteen hundred (1,800) dollars, payable as other State officers.

SECTION 2. The duties of the commissioner shall be to collect, systematize, and present in biennial reports to the legislature, statistical details relating to all departments of labor in the State, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the estimated number of persons employed by the several industries within the State, the operation of labor-saving machinery in its relation to hand labor, etc. Said statistics may be classified as follows:

1st. In agriculture.

2nd. In mining.

3rd. In mechanical and manufacturing industries.

4th. In transportation.

5th. In clerical and all other skilled and unskilled labor not above mentioned.

6th. The amount of cash capital invested in lands, in building and machinery, severally, and means of production and distribution generally.

7th. The number, age, sex and condition of persons employed; the nature of their employment; the extent to which the apprenticeship system prevails in the various skilled industries; the number of hours of labor per day; the average length of time employed per annum, and the net wages received in each of the industries and employments within the State.

8th. The number and condition of the unemployed, their age, sex and nationality, together with the cause of their idleness.

9th. The sanitary conditions of lands, workshops, dwellings; the number and size of rooms occupied by the workers, etc.; the cost of fuel, rent, food, clothing and water in each locality of the State; also the extent to which labor-saving processes are employed to the displacement of hand labor.

10th. The number and condition of the Chinese in the State; their social and sanitary habits; number of married and of single; the number employed and the nature of their employment; the average wages per day at each employment, and the gross amount yearly; the amount expended by them in rent, food and clothing, and in what proportion such amounts are expended for foreign and home productions respectively; to what extent their labor comes in competition with the other industrial classes of the State.

11th. The number, condition and nature of the employment of the inmates of the State prison, county jails and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans and laborers outside of these institutions.

12th. All such other information in relation to labor as the commissioner may deem essential to further the objects sought to be attained by this statute.

13th. A description of the different kinds of labor organizations in existence in the State, and what they accomplish in favor of the class for which they were organized.

SECTION 3. It shall be the duty of all State, county and precinct officers to furnish, upon the written request of the commissioner, all the information in their power necessary to assist in carrying out the objects of this act. * * *

SECTION 4. Any person who wilfully impedes or obstructs the commissioner in the full and free performance of his duties, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten (10) nor more than fifty (50) dollars, or imprisonment not less than seven (7) nor more than thirty (30) days in the county jail, or both.

SECTION 6. The commissioner shall have power to send for persons whenever, in his opinion, it is necessary. And he may examine witnesses under oath, being hereby authorized to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of said commissioner.

SECTION 9. If any difference shall arise between any corporation or person, employing twenty-five or more employés and such employés, threatening to result, or resulting in a strike on the part of such employés, or a lockout on the part of such employer, it shall be the duty of the commissioner, when requested so to do by fifteen or more of said employés, or by the employers to visit the place of such disturbance, and diligently seek to mediate between such employer and employés.

Employment of children.

(Page 76.)

SECTION 1. Any person who shall take, receive, hire or employ, any children under fourteen years of age in any underground works, or mine, or in any smelter, mill or factory, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of record, shall be fined not less than ten dollars nor more than fifty dollars for each offense: *Provided*, That a jury on the trial of any such case before a justice of the peace, shall be called and empanelled as in the case of assault and battery, and that the jury in such cases shall designate the amount of the fine in their verdict.

SECTION 2. Whenever any person shall before a justice of the peace make oath, or affirm that the affiant believes that this act has been, or is being violated, naming the person charged with such violation, such justice shall forthwith issue a warrant to a constable, or other authorized officer, and such officer shall arrest the person or persons so charged, and bring him or them before the justice issuing such warrant, for a hearing. And it shall be the duty of all constables and policemen to aid in the enforcement of this act.

SECTION 3. In default of the payment of the fine or penalty imposed under any of the provisions of this act, it shall be lawful for any justice of the peace, or court of record before whom any person may be convicted of a violation of any of the provisions of this act, to commit such person to the county jail, there to remain for not less than twenty days nor more than ninety days.

Convict labor.

(Page 232.)

SECTION 1, (as amended by act of April 19, 1889, page 91, acts of 1889). It shall be unlawful for the State of Colorado, its officers or representatives, to hire out the persons now confined, or who may hereafter be confined, as convicts in any penitentiary or prison that now is or hereafter may be established in the State of Colorado for the confinement of persons convicted of crimes or misdemeanors, to perform labor of any kind or description whatsoever outside of the prison walls or grounds owned or leased by the State of Colorado in the vicinity of such penitentiary or prison; such convicts shall not be hired out to perform labor of any description, for pay or gain of any description, nor shall their services be given free to any person or class, or association of persons, beyond the limits hereinbefore described, under penalty hereinafter provided: *Provided*, That said board of penitentiary commissioners shall not hire out any convict for the purpose of carrying on an industry that comes in competition with free labor in the State of Colorado; *And. provided further*, That all labor shall be done under the supervision of the said board and the warden of the penitentiary.

SECTION 2. It shall be unlawful for any person, or corporation, or association whatsoever, or any county, city or town within the State of Colorado, to hire or bring into the State to perform labor, any persons convicted of crimes or misdemeanors of any description whatsoever in any State or Territory of the United

States, under penalty hereinafter provided: *Provided*, That nothing in this act shall be construed to apply to ex-convicts.

SECTION 3. It shall be unlawful for the State, its officers or representatives, or any county, city or town or their officers or representatives, to knowingly bring into the State or cause to be brought into the State any material for use in the erection of, or repairing of any public building, the labor in preparing which or any part of which has been performed by convicts.

SECTION 4. A violation of any provision of this act shall be punished by a fine of not less than three hundred dollars or more than one thousand dollars, or imprisonment for not less than three months or more than five years, or both.

Labor day.

(Page 327.)

SECTION 1. The first Monday in September of the present year of our Lord, and each year thereafter, is hereby declared a public holiday, to be known as "Labor day," and the same shall be recognized, classed and treated as other holidays under the laws of this State.

ACTS OF 1889.

Employment of children.

(Page 59.)

SECTION 1. It shall be unlawful for any person, persons or corporation to employ any child under the age of fourteen years to labor in any business whatever during the school hours of any school day of the school term of the public school, in the school district where such child is, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in those branches required to be taught in the public school of the State of Colorado, or shall have been regularly instructed at home in such branches, by some person qualified to instruct in the same, at least twelve weeks in each year, eight weeks at least of which shall be consecutive, and shall, at the time of such employment, deliver to the employer a certificate in writing, signed by the teacher, certifying to such attendance or instruction; and any person, persons or corporation who shall employ any child contrary to the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than twenty-five (25) dollars nor more than fifty (50) dollars, and all fines so collected shall be paid into the county treasury, and placed to the credit of the school district in which the offense occurs.

SECTION 4. It shall be the duty of any school director of the district to inquire into all cases of neglect of the duty prescribed in this act, and ascertain from the person neglecting, the reason, if any, therefor; and he shall forthwith proceed to secure the prosecution of any offense occurring under this act; and any director neglecting to secure such prosecution for such offense, within ten days after a written notice has been served on him by any taxpayer in said district, unless the person so complained of shall be excused by the district board of education for the reasons hereinbefore stated, shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than ten nor more than fifty dollars; and such fine, when collected, shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs. All actions for offenses committed under this act shall be prosecuted for in the name of the State of Colorado.

SECTION 6. Two weeks' attendance, at half time or night school, shall be considered within the meaning of the article equivalent to an attendance of one week at a day school.

Labor combinations not unlawful.

(Page 92.)

SECTION 1. It shall not be unlawful for any two or more persons to unite, or combine, or agree in any manner, to advise or encourage, by peaceable means, any person or persons to enter into any combination in relation to entering into or remaining in the employment of any person, persons or corporation, or in relation to the amount of wages or compensation to be paid for labor, or for the purpose of regulating the hours of labor, or for the procuring of fair and just treatment from employés, or for the purpose of aiding and protecting their welfare and interests in any other manner not in violation of the constitution of this

State or the laws made in pursuance thereof: *Provided*, That this act shall not be so construed as to permit two or more persons, by threats of either bodily or financial injury, or by any display of force, to prevent or intimidate any other person from continuing in such employment as he may see fit, or to boycott or intimidate any employer of labor.

Regulation of employment offices.

(Page 204.)

SECTION 1. It shall be unlawful for any person or persons to keep open or establish in any city in this State any intelligence or employment office for the purpose of procuring or obtaining, for money or other valuable consideration, either directly or indirectly, any work, employment or occupation for persons seeking the same, or to otherwise engage in the business or in any way act as a broker between employers and persons seeking work, without first having obtained a license so to do, from the city wherein such intelligence or employment office is to be opened or such business is to be carried on. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, for each and every offense, be subject to a fine not exceeding one hundred (100) dollars, or imprisonment not exceeding thirty days, or both at the discretion of the court.

SECTION 4. If any person or persons, or his, her or their agent or employé, engaged in the business of an employment or intelligence agent or broker, duly licensed as provided by this act, shall give any false information, or shall make any misstatements, or make any false promises concerning any work or employment or occupation, to anyone obtaining his or her services for procuring such work or employment or occupation, or shall charge a greater sum for his or her service than is provided for in the city ordinances, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be subject to a fine not exceeding two hundred (200) dollars or imprisonment not exceeding sixty days, or both, at the discretion of the court.

SECTION 5. And the person or persons so injured by false representation, may sue for and recover upon the bond deposited with the city treasurer, provided in section four, the same as in other claims for damage in civil suits.

SECTION 6. Nothing herein shall be construed so as to require any religious or charitable association which may assist in procuring situations or employment for persons seeking the same, to obtain a license so to do under the provisions of this act.

Convict labor.

(Page 427.)

SECTION 29. * * *

Fourth. To use every proper means to furnish employment to the inmates, both beneficial to the State and best suited to their several capacities: *Provided*, That so far as practicable, the industries upon which such convicts shall be employed shall be the manufacture of articles not elsewhere manufactured in this State.

CONNECTICUT.

GENERAL STATUTES OF 1888.

CHAPTER 31.—*Protection of employés as voters.*

SECTION 276. Every person who shall, at or within sixty days prior to any [electors', town or city] * * * meeting, attempt to influence the vote of any operative in his employ by threats of withholding employment from him, or by promises of employment, or who shall dismiss any operative from his employment on account of any vote he may have given at any such meeting, shall be fined not less than one hundred dollars, nor more than five hundred dollars, or imprisoned not less than six months, nor more than twelve months, or both.

CHAPTER 52.—*Wages preferred—In insolvency.*

SECTION 514.—All debts due to any laborer or mechanic for personal wages, from any insolvent debtor whose estate is in settlement, for any labor performed for him within three months next preceding the commencement of proceedings in insolvency, shall be allowed by the commissioners on his estate, and paid in full by the trustee, to the amount of one hundred dollars, before the general liabilities of such debtor are paid.

CHAPTER 70.—*Conditional sale of personal property.*

SECTION 920. Any property sold upon condition, and put by the vendor into the visible possession of the vendee, unless otherwise exempt from execution, may be attached and levied upon and sold or set out on execution in any suit against such vendee, subject to the rights of the vendor to its possession or ownership; and the party attaching or levying shall have the same rights which the vendee would otherwise have had, to tender to the vendor performance of the conditions of sale; and all parties deriving title under the execution shall succeed to all the rights of the vendee, in relation to such property.

CHAPTER 79.—*Exemption from execution, etc.—Personal property.*

SECTION 1164. The following property shall be exempted, and not liable to be taken by warrant or execution, namely: Of the property of any one person, his necessary apparel and bedding, and household furniture necessary for supporting life, arms, military equipments, uniforms, or musical instruments owned by any member of the militia for military purposes, any pension moneys received from the United States, while in the hands of the pensioner, implements of the debtor's trade, his library, not exceeding five hundred dollars in value, one cow, not exceeding one hundred and fifty dollars in value, any number of sheep not exceeding ten, nor exceeding in all one hundred and fifty dollars in value, two swine and the pork produced from two swine, or two swine and two hundred pounds of pork, and poultry not exceeding twenty-five dollars in value; of the property of any one person having a wife or family, twenty-five bushels of charcoal, two tons of other coal, two hundred pounds of wheat flour, two cords of wood, two tons of hay, two hundred pounds each of beef and fish, five bushels each of potatoes and turnips, ten bushels each of Indian corn and rye, and the meal or flour manufactured therefrom, twenty pounds each of wool and flax, or the yarn or cloth made therefrom; the horse of any practicing physician or surgeon of a value not exceeding two hundred dollars, and his saddle, bridle, harness, and buggy; one boat, owned by one person, and used by him in the business of planting or taking oysters or clams, or taking shad, together with the sails, tackle, rigging, and implements used in said business, not exceeding in value two hundred dollars; one sewing machine, being the property of any one person using it, or having a family; one pew, being the property of any person having a family who ordinarily occupy it; and lots in any burying ground, appropriated by its proprietors for the burial place of any person or family.

CHAPTER 86.—*Exemption from attachment, etc.—Wages.*

SECTION 1231. * * * so much of any debt which has accured by reason of the personal services of the debtor as shall not exceed fifty dollars, including wages due for the personal services of any minor child under the age of twenty-one years, shall be exempted and not liable to be taken by foreign attachment or execution; * * *. And all benefits allowed by any association of persons in this State, towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business, shall also be exempted, and not liable to be taken by foreign attachment or execution.

CHAPTER 86.—*Attachment of wages—What costs are to be recovered.*

SECTION 1239. In any action in which, upon the service of process, moneys due to the defendant by reason of personal services, are attached, the plaintiff shall not recover of the defendant as costs, a sum exceeding one-half of the amount of damages recovered in the action.

SECTION 1240. In any action in which wages only are attached, no costs shall be attached in favor of the plaintiff, unless it should appear to the court or justice of the peace before which or whom such action is brought, that demand was made upon the defendant for the payment of the claim sued for, not more than thirty days nor less than three days prior to the bringing of such action.

CHAPTER 99.—*Certain employments of children forbidden.*

SECTION 1417. Every person who shall exhibit, use, employ, apprentice, give away, let out, or otherwise dispose of any child under the age of twelve years, in or for the vocation, occupation, service or purpose of rope or wire walking, dancing, skating, bicycling, or peddling, or as a gymnast, contortionist, rider, or acrobat, in any place whatever; or for or in any obscene, indecent, or immoral purpose, exhibition, or practice, whatsoever; or for or in any business, exhibition, or vocation, injurious to the health, or dangerous to the life or limb of such child; or who shall cause, procure, or encourage any such child to engage therein,

shall be fined not more than two hundred and fifty dollars, or imprisoned not less than thirty days, nor more than one year, or both.

But nothing herein shall prevent the employment of any such child as a singer or musician, in any church or school, or in learning or teaching the science or practice of music.

CHAPTER 99.—*Abandonment, obstructing use, etc., of locomotives and cars.*

SECTION 1517. Every person who shall unlawfully, maliciously, and in violation of his duty or contract, unnecessarily stop, delay, or abandon any locomotive, car, or train of cars, or shall maliciously injure, hinder, or obstruct the use of any locomotive, car, or railroad, shall be fined not more than one hundred dollars, or imprisoned not more than six months.

CHAPTER 99.—*Intimidation of employers and employés.*

SECTION 1518. Every person who shall threaten, or use any means to intimidate any person to compel such person, against his will, to do or abstain from doing any act which such person has a legal right to do, or shall persistently follow such person in a disorderly manner, or injure, or threaten to injure, his property with intent to intimidate him, shall be fined not more than one hundred dollars, or imprisoned not more than six months.

CHAPTER 99.—*Sunday labor.*

SECTION 1569. Every person who shall do any secular business or labor, except works of necessity or mercy, or keep open any shop, warehouse, or manufacturing or mechanical establishment, or expose any property for sale * * * on Sunday, between sunrise and sunset, shall be fined not more than four dollars, nor less than one dollar.

SECTION 1572. No person who conscientiously believes that the seventh day of the week ought to be observed as the Sabbath, and actually refrains from secular business and labor on that day, shall be liable to prosecution for performing secular business and labor on the Sabbath, provided he disturbs no other person while attending public worship.

CHAPTER 106.—*Employment, hours of labor, etc., of women and children.*

SECTION 1745. No minor under sixteen years of age, and no woman, shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment more than ten hours in any day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or where a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week. Every employer shall post in a conspicuous place in every room where such persons are employed a notice stating the number of hours of work required of them on each day of the week; and the employment of any such person for a longer time in any day than so stated shall be deemed a violation of this section, unless it appears that such employment is to make up for time lost on some previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but in no case shall the hours of labor exceed sixty in a week. Every person who willfully employs, or has in his employment, or under his charge, any person in violation of this section, and every parent or guardian who permits any such minor to be so employed, shall be fined not exceeding twenty dollars for each offense. A certificate of the age of a minor, made by him or by his parent or guardian at the time of his employment in a manufacturing, mechanical, or mercantile establishment, shall be conclusive evidence of his age upon any trial of any person other than the parent or guardian for violation of this section.

CHAPTER 106.—*Hours of labor.*

SECTION 1746. Eight hours of labor, performed in any one day, by any one person, shall be a lawful day's work, unless otherwise agreed.

CHAPTER 106.—*Payment of wages.*

SECTION 1748. Any person or corporation who shall withhold any part of the wages of any person, because of any agreement expressed or implied requiring notice before leaving the employment, shall forfeit fifty dollars, half to him who shall sue therefor, and half to the State.

SECTION 1749. Every corporation employing labor shall pay to its employees such compensation or wages as may be agreed upon, once a week; and such payment shall include all wages earned and unpaid up to the eighth day preceding

the day of payment, and no deduction from said wages shall be made on account of such weekly payment.

SECTION 1750. Every corporation which shall pay weekly to such of its employees as shall call at the usual place of payment for the same eighty per cent. of their estimated wages, earned and unpaid before the eighth day preceding the day of payment, making no discount on account of such weekly payment, and shall pay in full once in each month, and shall give notice of the same in its printed rules and regulations, shall be exempt from the provisions of the preceding section.

SECTION 1751. Any corporation violating the provisions of the two preceding sections shall forfeit the sum of fifty dollars, half to him who shall sue therefor, and half to the State.

SECTION 1752. No employer of labor, nor any person acting for him, shall in any manner or form make a discount or deduction from the wages of any person employed by him, when the wages of the employee or any part thereof are paid at an earlier time than that at which such wages would regularly have been paid. And any person or corporation violating this section shall forfeit not less than ten nor more than one hundred dollars, half to him who shall sue therefor, and half to the State.

CHAPTER 106.—*Employment of children.*

SECTION 1753. No child under thirteen years of age shall be employed in any mechanical, mercantile, or manufacturing establishment.

SECTION 1754. Any person acting for himself, or as agent in any way whatever of any mechanical, mercantile, or manufacturing establishment who shall employ or authorize or permit to be employed in such establishment any child, in violation of the preceding section, shall be fined not more than sixty dollars, and every week of such illegal employment shall be a distinct offense, provided that no person shall be punished under this section for the employment of any child when at the time of such employment the employer shall demand and thereafter during such employment keep on file the certificate of any town clerk, or of the teacher of the school where such child last attended, stating that such child is more than thirteen years of age, or a like certificate of the parent or guardian of such child in such cases only where there is no record of the child's age in the office of the town clerk, and such child has not attended school in this State. Any parent or guardian who shall sign any certificate that his child or ward is more than thirteen years of age when in fact such child or ward is under thirteen years of age shall be fined not more than sixty dollars.

SECTION 1755. It shall be the duty of the State board of education and the school visitors, boards of education, and town committees of towns, to enforce the wo preceding sections; and for that purpose the State board of education may appoint agents, under its supervision and control, * * * .

CHAPTER 118.—*Coöperative associations.*

SECTION 1895. Seven or more persons, of lawful age, inhabitants of this State, may, by written articles of agreement, associate themselves together for the purposes of trade, or for carrying on any lawful mercantile, mechanical, manufacturing, or agricultural business within this State, and when such articles of association shall have been executed, and recorded in the office of the town clerk, in the town in which the business is to be carried on, such persons shall be and become a corporation, and enjoy all the powers and privileges, and be subject to all the duties, restrictions, and liabilities set forth in all general laws, in relation to similar corporations, except so far as the same may be limited or enlarged by this chapter.

SECTION 1897. The business of the association shall be managed and conducted by a president, a board of not less than five directors, and a treasurer, which shall be styled a board of managers, and who shall be chosen annually by the stockholders, and shall hold their offices until others are chosen and qualified in their stead, and such association shall have such other officers as it shall prescribe by its by-laws, and the mode of appointment and choice of such officers shall also be prescribed by the by-laws.

SECTION 1899. The amount of capital stock of such association shall be fixed and limited by its articles of association; at any sum not exceeding fifty thousand dollars. The association may increase or diminish its amount and its number of shares at any meeting of the stockholders, especially called for that purpose, and within five days after the passage of any vote increasing or diminishing the capital stock, shall cause such vote to be recorded in the town clerk's office of the town where its business is carried on, but no share shall be issued for less than its *par value.*

SECTION 1901. Such association may take, hold, and convey such real and personal estate as is necessary for the purposes of its organization, and may sue and be sued in its associate name; and no member thereof shall be entitled to hold or claim any interest therein exceeding the sum of one thousand dollars, nor shall any member upon any subject be entitled to more than one vote.

SECTION 1904. There shall be such distribution of the profits or earnings of such association among the shareholders, as shall be prescribed by the by-laws; provided, that no distribution shall be declared and paid, until a sum equal to ten per cent. of the net profits shall be appropriated for a contingent or sinking fund, and until there shall have been thereby accumulated a sum equal to twenty per cent. of such capital stock.

CHAPTER 119.—*Corporations—Profit-sharing.*

SECTION 1935. Any corporation organized after May 31, 1886, under general or special law, may, by its board of directors, distribute to the persons employed in its service, or to any of them, such portion of the profits of the business of the corporation as the board of directors may deem just and proper.

SECTION 1936. Any corporation organized on or prior to May 31, 1886, may give to its board of directors the power to distribute to the persons employed in its service, or to any of them, such portion of the profits of the business of the corporation as said board may deem just and proper: *Provided*, such power is given by a major vote of all the shareholders, at a meeting warned for the purpose.

CHAPTER 131.—*Employment of children.*

SECTION 2105. No child under fourteen years of age, who has resided in the United States nine months, shall be employed to labor, unless such child shall have attended a day school in which instruction has been regularly and thoroughly given in the branches of education required in the public schools during at least twelve weeks, or sixty full school days of the twelve months next preceding any month in which such child shall be so employed, nor unless six weeks at least of this attendance have been consecutive. Any person who shall employ a child contrary to the provisions of this section shall be fined not more than sixty dollars.

SECTION 2106. It shall be the duty of every parent, or other person having control of a child under fourteen years of age, to furnish the employer of such child a certificate signed by the teacher, school visitor, or committee of the school which the child attended, showing that the child has attended school as required by the preceding section. The employer of any such child shall require such certificate, shall keep it at his place of business during the time the child is in his employment, and shall show the same when demanded, during the usual business hours, to any school visitor of the town where the child is employed, or to the secretary or agent of the State board of education. Said certificate shall be evidence that the child has attended school as the law requires.

SECTION 2107. Any parent or other person having control of a child, who, with intent to evade the provisions of this chapter, shall make any false statement concerning the age of such child, or the time such child has resided in the United States, or shall instruct such child to make any such false statement, shall be fined not more than seven dollars, or be imprisoned not more than thirty days.

SECTION 2108. The school visitors in every town shall, once or more in every year, examine into the situation of the children employed in all its manufacturing establishments, and ascertain whether all the provisions of this chapter are duly observed, and report all violations thereof to one of the grand jurors of the town.

CHAPTER 132.—*Manual arts to be taught in public schools.*

SECTION 2118. * * * in said [public] schools, shall be taught by teachers found duly qualified by the school visitors, * * * and such other studies, including training in manual arts, as may be prescribed by the board of school visitors, and said schools shall be open to all children, over four years of age, in the respective districts, without discrimination on account of race or color.

CHAPTER 145.—*Factories and workshops.*

SECTION 2263. The governor shall, with the consent of the senate * * * every two years * * *, appoint an inspector of factories, * * *; and the governor may remove the inspector for cause.

SECTION 2264. The inspector of factories shall as often as practicable carefully examine all buildings and places where machinery shall be used, and shall have authority to enter such buildings and places at all proper times for the purpose of such inspection. He shall, on or before the first day of December in each year, make a report to the governor of the condition, as respects safety to life

and health, of the factories, buildings, and places visited by him, and such report shall be printed for the use of the general assembly at each of its regular sessions.

SECTION 2265. All factories and buildings where machinery shall be used shall be well ventilated and kept as clean as the nature of the business will permit. The belting, shafting, gearing, machinery, and drums of all factories and buildings where machinery shall be used, when so placed as in the opinion of the inspector to be dangerous to persons employed therein while engaged in their ordinary duties, shall, as far as practicable, be securely guarded. No machinery other than steam engines in the factory shall be cleaned while running, after notice forbidding the same is given by the inspector to the owners or operators of the factory.

SECTION 2266. The inspector may order the opening of all hoist-ways, hatchways, elevator wells, and wheel holes upon every floor of any factory or other building where machinery shall be used, to be protected by good trapdoors, self-closing hatches, and safety catches, or other safeguards such as will insure the safety of the employees in such factory or other building where machinery shall be used, and all due diligence shall be used to keep such trapdoors closed at all times, except when in actual use by an occupant of the building having the use and control of the same.

SECTION 2267. Every person or corporation managing or operating any factory, or owning or controlling the use of any other building where more than five persons shall be employed at labor, shall provide suitable water-closet accommodations for the use of the persons employed, and shall keep the same in good sanitary condition.

SECTION 2268. It shall be the duty of the inspector to enforce the provisions of this chapter by giving proper orders or notices to the persons or corporations owning, operating, or managing the factories or buildings inspected by him, and also to make complaint to the State's attorneys in the several counties respectively of all violations of this chapter.

SECTION 2269. (As amended by chapter 225, acts of 1889.) Any person, firm, or corporation being the owner, lessee, or occupant of any factory or building included within the provisions of this chapter, or owning or controlling the use of any room in such building, shall, for a violation of any provision of sections 2264, 2265, 2266, 2267, forfeit to the use of the State not less than fifty nor more than five hundred dollars, and shall also be liable to any employé for all damages suffered by him by reason of such violation. It shall be the duty of the State's attorneys in the several counties to collect forfeitures under this chapter, but no suit shall be brought for any such violation, either in behalf of any person or the State, until four weeks after notice has been given by the inspector to such person, firm, or corporation of any changes necessary to be made to comply with the provisions of said sections, and not then, if, in the mean time, such changes have been made in accordance with such notification. Nothing herein shall be construed as limiting in any way the right of a person injured to bring an action to recover damages for the same, as though this chapter had not been enacted.

SECTION 2270. The orders and notices given by the inspector under this chapter shall be written or printed, and signed by him officially, and may be served * * * by leaving an attested copy thereof with or at the usual place of abode of the person upon whom service is to be made; * * *

SECTION 2272. The inspector may from time to time employ special agents to assist him in his inspections and examinations, who shall receive compensation for the time actually employed in such service only. * * *

CHAPTER 158.—*Fire escapes on factories, etc.*

SECTION 2645, (as amended by chapter 154, acts of 1889). Every story above the second story, not including the basement, in any workshop, manufactory, * * * , boarding-house accommodating more than twelve lodgers, or tenement house arranged for or occupied by more than two families, shall be provided with more than one way of egress, by stairways on the inside or fire-escapes on the outside of the building, and such stairways and fire-escapes shall be kept free from obstruction and shall be accessible from each room in said story.

SECTION 2646. It shall be the duty of the first selectman of the town, or the fire marshal of the city, or the warden of the borough in which any such building is situated to examine all buildings referred to in the preceding section, and if on examination he finds that such building is provided with fire-escapes or stairways, as required by said section, he shall furnish the owner thereof with a certificate to that effect, in which case such owner shall not be liable.

SECTION 2647. Every owner of such building who shall violate any of the provisions of the two preceding sections shall be fined fifty dollars.

CHAPTER 164.—*Exemption from execution, etc.—Homesteads.*

SECTION 2783. Any person owning and actually occupying as a dwelling any building may execute a written declaration of his desire and intention that the same, together with any other real estate occupied and used by him in connection therewith, shall be held by him as a homestead exempt from execution, which declaration shall be executed and recorded like a deed of land, and such purpose may likewise be declared in any conveyance of any such property hereafter taken; and thereupon such property to the extent of one thousand dollars in value shall as a homestead be exempt from attachment, execution, or judgment lien for any debt or liability of such person incurred after the record of such declaration or conveyance, so long as such property shall be actually occupied by the owner as a dwelling; and if the same shall be sold for the payment of any such debt or liability after his decease, excepting expenses for his funeral and last sickness, such sale shall be subject to the right of occupation of such property by the widow or husband of the decedent, if any, for life, and by his minor children during their minority; and such right of occupation shall be free from attachment, execution, or judgment lien for any debt or liability of such widow, husband, or children. Any homestead right of exemption may be released as to the whole or any part of the property so exempted, provided the husband or wife, if any, of the owner join in the declaration of release; the husband or widow may release his or her right of occupation in any such property; and the guardian of any minor child may, with the consent of the court of probate, release the right of occupation of such child in any real estate. All such releases shall be executed and recorded like deeds of land. No person shall have a homestead exemption in more than one dwelling at the same time.

CHAPTER 166.—*Earnings of married women.*

SECTION 2796. * * * The separate earnings of the wife shall be her sole property. * * *

CHAPTER 175.—*Bureau of labor statistics.*

SECTION 2944. There shall continue to be a bureau of labor statistics, to be under the control and management of the commissioner thereof, to be appointed as hereinafter provided.

SECTION 2945. The governor shall, with the consent of the senate, * * * every four years * * * appoint a commissioner of said bureau who shall hold his office * * * for a term of four years * * *; and the governor may remove the commissioner for cause.

SECTION 2946. * * * The commissioner may appoint and remove at pleasurse one clerk of said bureau * * *.

SECTION 2947. The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity; but for this purpose persons shall not be required to leave the vicinity of their residences or places of business.

SECTION 2948. The commissioner shall report to the governor, on or before the first day of December in each year, all the statistical details relating to the business of his department.

SECTION 2949. The commissioner may employ from time to time special agents to assist him in his investigations, who shall receive compensation for the time actually employed in such service only * * *.

CHAPTER 207.—*Convict labor.*

SECTION 3341. The warden * * * shall keep all the prisoners employed in such labor as the directors shall order, during the term of their imprisonment * * *.

SECTION 3343. The warden may, with the consent of the directors, employ the prisoners, not exceeding ten at a time, outside the prison walls, within one and a half miles thereof, under the charge of some proper officer of the prison. He * * * shall superintend the labor and conduct of the prisoners; act as the general agent of the prison, in the purchases and sales therefor, which shall be for cash only * * *.

SECTION 3355. Whenever it shall be proposed to employ fifty or more of the prisoners confined in the State prison, by contract or otherwise, at any trade or occupation, the directors of the State prison shall give public notice of the fact by advertising the same * * *, and shall inquire into the effect of such pro-

posed employment upon the interest of the State, the moral and physical condition of the prisoners, and upon free labor; and said directors shall give a hearing to all who may wish to be heard in the matter, and if it shall appear upon such inquiry, that such proposed employment will not be for the interest of the State, or will be detrimental to the moral and physical condition of the prisoners, or will seriously injure the citizens of this or any other State engaged in such proposed trade or occupation, it shall be prohibited.

CHAPTER 214.—*Railroad companies to require security from contractors for payment of labor.*

SECTION 3470. Every railroad company, in making contracts for the building of its road, shall require sufficient security from the contractors for the payment of all labor thereafter performed in constructing the road by persons in their employ; and the company shall be liable to the laborers employed for labor actually performed on the road, if they, within twenty days after the completion of such labor, shall, in writing, notify its treasurer that they have not been paid by the contractors.

CHAPTER 217.—*Sunday labor—Railroads.*

SECTION 3523. No railroad company shall run any train on any road operated by it within this State, between sunrise and sunset on Sunday, except from necessity or mercy; provided, That before ten o'clock and thirty minutes in the forenoon and after three o'clock in the afternoon it may run trains carrying the United States mail, and such other trains or classes of trains as may be authorized by the railroad commissioners of this State, on application made to them on the ground that the same are required by the public necessity, or for the preservation of freight.

SECTION 3524 (as amended by chapter 23, acts of 1889). No railroad company shall permit the handling, the loading, or the unloading of freight on any road operated by it, or at any of its depots or stations within this State, between sunrise and sunset on Sunday, except from necessity or mercy; *provided, however*, that the railroad commissioners of this State may suspend the operation of this section, so as to permit the handling, the loading, or the unloading of freight by transfer of said freight between steamboats and cars, until eight o'clock in the forenoon, at any depot or station where, upon application made to them, they shall find that the same is required by the public necessity or for the preservation of freight.

SECTION 3525. Every railroad company which shall violate any of the provisions of the two preceding sections shall forfeit to the State the sum of two hundred and fifty dollars for any such violation.

CHAPTER 217.—*Safety couplers on freight cars.*

SECTION 3537. Every railroad company, operating any railroad located partially or wholly in this State, shall cause every freight car that shall be built or purchased for use on such railroad, to be provided with couplers so arranged as to render the presence of any person between the ends of the cars unnecessary for the purpose of coupling the same.

SECTION 3538. No couplers shall be placed on any freight cars built or purchased as specified in the preceding section, nor shall any new couplers be substituted for any in use, until the same shall have been approved by the railroad commissioners, and such couplers shall be hung at such height above the face of the railroad track as shall be designated by such commissioners.

SECTION 3539. Every railroad company which shall permit a violation of the two preceding sections, shall forfeit to the State for every such violation the sum of fifty dollars.

CHAPTER 238.—*Inspection, etc., of steam boilers.*

SECTION 3770. The governor shall appoint in each Congressional district an inspector of steam boilers used for manufacturing, heating, or mechanical purposes, who shall hold office for three years, and shall, as often as once in each year, carefully inspect every such boiler in his district, whose owner or user has not a certificate of its inspection for said year, issued by a company incorporated by this State, or some other State of the United States, for the purpose of inspecting steam boilers, and if he finds such boiler to be in good order, and free from weakness and material defects, he shall give a certificate of inspection to the party using the same; but the certificate of corporations formed for writing

insurance against loss or damage from other causes than boiler explosions shall not be sufficient to excuse inspection by such inspector, nor shall the certificate of any company be sufficient unless such company shall have complied with the insurance laws of this State.

SECTION 3771. If said inspector finds any boiler out of order, materially weak, or defective, he shall advise its owner, lessee, or user as to the repairs necessary to put it in proper condition, and if such advice is disregarded, he may call in the inspector from an adjoining district, and if they agree that such boiler is not in proper condition, they shall give written notice to its owner, lessee, or user not to use it until such repairs are made as said inspectors shall specify, or if they are of the opinion that it is utterly worthless, or that its use will endanger the public safety, they shall forbid its use.

SECTION 3772. The provisions of the two preceding sections shall not apply to any city or town now having a system of boiler inspection of its own, unless accepted and adopted by it.

SECTION 3774. Every person who shall neglect or refuse to have any steam boiler used by him inspected, or shall suffer it to carry a greater pressure of steam than is allowed by the certificate of the legally authorized inspector, shall be fined not more than two hundred dollars.

SECTION 3775. Every person who shall use any steam boiler after its use is forbidden by the inspectors, shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

SECTION 3776. Any inspector who shall willfully and knowingly certify falsely to the condition of any boiler by him inspected, or who shall issue a certificate without having made a careful inspection, as hereinbefore provided, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

CHAPTER 241.—*Exemption from taxation.*

SECTION 3820. The following property shall be exempt from taxation: * * * wearing apparel of every person and family, not including watches and jewelry of any kind exceeding twenty-five dollars in value; household furniture, used by and belonging to any one family, to the value of five hundred dollars; farming tools, actually and exclusively used in the business of farming, upon any one farm, not exceeding in value two hundred dollars; the produce of a farm, while owned and held by the producer, actually grown, growing, or produced, including colts, calves, and lambs, during the season next preceding the time of listing; fuel and provisions for the use of any one family; swine to the value of fifty dollars, and poultry to the value of twenty-five dollars; cash not exceeding one hundred dollars; private libraries and books, not exceeding two hundred dollars in value * * *; all musical instruments, not exceeding in value twenty-five dollars; * * * the tools of a mechanic, actually used by himself in his trade, to the value of two hundred dollars; * * * all fishing apparatus, actually used by any one person or company, to the value of two hundred dollars; the stock or property of every incorporated agricultural society; * * *.

SECTION 3821, (as amended by chapter 71, acts of 1889). The board of relief for each town shall exempt from taxation, to the amount of one thousand dollars, the property of every resident of this State who has served in the army, navy, or marine corps of the United States in time of war and received an honorable discharge therefrom, or so much of the property of the wife of every such person not in excess of said amount, as the husband holds a life interest in; and property to the same amount of the resident widow, or if there be no widow, of the widowed mother of every person having died after receiving an honorable discharge from said service; and of resident pensioned widows, fathers, and mothers of soldiers, sailors, and marines who served in the army, navy, or marine corps of the United States * * *.

ACTS OF 1889.

CHAPTER 20.—*Labor day.*

The first Monday of September in each year shall be a legal holiday in this State, to be known and designated as Labor Day.

CHAPTER 124.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1. * * * upon all public works of this State, honorably discharged Union soldiers and sailors shall be preferred for * * * employment. * * *

DELAWARE.

REVISED CODE OF 1852, EDITION OF 1874.

Earnings of married women.

(Page 479.)

SECTION 3. Any married woman may receive the wages of her personal labor not performed for family, maintain an action therefor in her own name, and hold them in her own right against her husband or any other person. * * *

CHAPTER 89.—*Wages preferred—In administration.*

SECTION 25. Executors and administrators shall pay demands against the deceased in the following order:

First. Funeral expenses;

Second. [The reasonable bills for medicine and medical attendance during the last sickness, and for] nursing and necessaries for the last sickness of the deceased;

Third. Wages of servants and laborers employed in household affairs, or in the cultivation of a farm—but no servant, or laborer to be allowed this preference for more than one year's wages.

* * * * * * *

Exemption from execution, etc.—Personal property.

(Page 673.)

SECTION 1, (as amended by chapter 146, acts of 1879). Every person residing within this State shall have exempt from execution or attachment process the following articles of personal property, to wit: the family Bible, school books and family library, family pictures, a seat or pew in any church or place of public worship, a lot in any burial ground, all the wearing apparel of the debtor and his family, and in addition to the articles hereinbefore specifically named shall have exempt the tools, implements and fixtures necessary for carrying on his or her trade or business, not exceeding in value seventy-five dollars—and in and for the county of Kent the sum of fifty dollars.

SECTION 2, (as amended by chapter 146, acts of 1879). Every person residing within this State, and being the head of a family, shall have exempt from execution or attachment process, in addition to the exemptions made in the first section of this act, other personal property not exceeding in value two hundred dollars, the articles to be selected by the debtor—[but the sum of one hundred and fifty dollars in and for the county of Kent, and the personal property exempted shall, in the said county of Kent, consist of household goods only, and this section shall not apply to the county of Sussex.]

[The above is further amended by chapter 479, acts of 1877, following.]

SECTION 1. The act entitled "An act to exempt from execution process, certain articles of personal property", be and the same is hereby amended so as to extend and apply all the provisions of exemption of said act to every case of persons residing in this State who die, leaving a widow, giving and securing to such widow the same benefit of exemption that her husband would have under the said act, if living.

SECTION 2. The appraisers appointed by the register upon the granting of letters of administration upon goods and chattels, rights and credits of every intestate person, who dies insolvent, shall lay off, or set apart for the use of the widow of said deceased, personal property of said deceased, to be by her selected, not exceeding in value, two hundred dollars.

CHAPTER 131.—*Sunday labor.*

SECTION 4. If any person shall perform any worldly employment, labor, or business, on the Sabbath day (works of charity and necessity excepted,) he shall be fined four dollars, and on failure to pay such fine and costs, shall be imprisoned not exceeding twenty-four hours.

If any carrier, peddler, wagoner, or driver of any public stage, or carriage, or any carter, butcher, or drover, with his horse, pack, wagon, stage, carriage, cart, or drove, shall travel, or drive, upon the Sabbath day; or if any retailer of goods shall expose the same to sale on the Sabbath; he shall be fined eight dollars, and on failure to pay such fine and costs shall be imprisoned not exceeding

twenty-four hours. Any justice of the peace may stop any such person so traveling on the Sabbath, and detain him until the next day.

* * * * * * *

Any justice of the peace of the county shall have jurisdiction and cognizance of the offences mentioned in this section.

CHAPTER 133.—*Convict labor.*

SECTION 6. If any person shall be convicted of a crime deemed felony, and shall be sentenced to imprisonment as a part of the punishment, or shall be sentenced, for any misdemeanor, to imprisonment for a term exceeding three months, it shall be lawful for the sheriff, or jailer, to keep such person employed at labor within the walls of the prison, or in any building or yard connected therewith; and the profits of such labor shall be applied for the use of the county. * * *

ACTS OF 1877.

CHAPTER 481.—*Strikes of railroad employés.*

WHEREAS, strikes by locomotive engineers and other railroad employés, and the abandonment by them of their engines and trains at points other than their schedule destination, whereby the safety of the passenger is often jeoparded, and shippers of fruits and other freights are subjected to great inconvenience, delay and possible loss, have lately become so frequent and extensive as to render it imperative that the rights and interests of the public should be guarded and protected in this respect by some proper legislation. Now, therefore,

* * * * * * *

SECTION 1. If any locomotive engineer, upon any railroad within this State, who shall, at the time, be engaged in any strike, or with a view to incite others to such strike, or in futherance of any combination or preconcerted arrangement with any person or persons to bring about or produce such strike, shall abandon the locomotive engine in his charge, when attached either to a passenger or freight train, at any place other than the schedule or otherwise appointed destination of such train, or shall refuse or neglect to proceed with said train to the place of destination, as aforesaid, every such person, so offending, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof by indictment, be fined not less than one hundred, nor more than five hundred, dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 2. If any locomotive engineer, or railroad employé, within this State, for the purpose of furthering the object of, or lending aid to, any strike or strikes organized or attempted to be maintained on any other railroad, either within or without this State, shall refuse or neglect, in the course of his employment, to aid in the movement over and upon the tracks of the company employing him of the cars of such other railroad company, or receive therefrom in course of transit where strikes are, either then, or may have been organized or attempted to be maintained, as aforesaid, every person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment, shall be fined not less than one hundred, nor more than five hundred, dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 3. If any person in aid or futherance of the objects of any strike upon any railroad within this State, shall interfere with, molest or obstruct any railroad employé engaged in the discharge and performance of his duty, as such, every person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment, shall be fined not less than one hundred, nor more than five hundred, dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 4. If any person or persons, in aid or furtherance of the objects of any strike, shall obstruct any railroad track within this State, or shall injure or destroy the rolling stock or any other property of any railroad company, or shall take possession of or remove any such property, or shall prevent, or attempt to prevent, the use thereof by such railroad company or its employés, or shall, by offer of recompense, induce any employés of any railroad company within this State, to leave the service of such company, every such person, so offending, shall be deemed guilty of a misdemeanor, and, upon conviction thereof by indictment, shall be fined not less than five hundred, nor more than one thousand, dollars, and may be imprisoned, not less than six months, nor more than one year, at the discretion of the court.

SECTION 5. If any conductor, baggagemaster, brakeman, or other train man, employed on either a freight or passenger train, on any railroad within this

State, shall abandon the train to which he is so attached, or with which he is connected in futherance of any strike, or with a view of inciting others to such strike, or in aid of any others who may be engaged in such strike, at any place other than the schedule or otherwise appointed destination of such train, or shall refuse or neglect to proceed with such train to its place of destination, every such person, so offending, shall be deemed guilty of a misdemeanor, and upon conviction thereof, by indictment, shall be fined not less than one hundred, nor more than five hundred, dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

ACTS OF 1879.

CHAPTER 147.—*Wages preferred in assignments, execution, etc.*

SECTION 1. * * * All debts or claims that may become due or growing due for labor or services rendered by any mechanic, laborer, clerk or other employé of any person or persons, chartered company or association employing laborers, clerks or mechanics in any manner whatsoever, shall be a first lien on all the real and personal property of such employer or employers, and shall be the first to be satisfied out of the proceeds of the sale of such property, whether made by an officer or an assignee of such employer or employers or otherwise: *Provided, however*, That the debt or claim secured to the mechanic, laborer, clerk or other employé under this act shall not exceed a sum equal to the wages of such mechanic, laborer, clerk, or other employé for one month: *And provided further*, That in no event shall such claim or debt exceed the sum of fifty dollars, though the wages for one month be a greater sum. Notice of such claim or debt shall given to the coroner, sheriff, constable, assignee, or other person, who shall make or conduct the sale of property subject to the lien or preference provided for by this act.

SECTION 2. No such claim or debt for work, labor, or clerk hire as aforesaid shall be a lien upon any real estate as is provided for in section 1 of this act, unless a copy of such claim or debt shall be filed in the prothonotary's office of the county in which such real estate is situated within one month after the same shall have become due and owing or shall be growing due and owing. Any person presenting a copy of such claim or debt to be filed in the prothonotary's office as aforesaid, shall accompany the same with an affidavit stating that such debt or claim is just and true. The fee to the prothonotary for such service shall be fifty cents.

SECTION 5. Any person who shall make an affidavit to any debt or claim which is untrue shall be guilty of a misdemeanor, and shall forfeit and pay a fine of fifty dollars.

SECTION 6. The parent, guardian, or next friend of any minors who shall render such service as is mentioned in the first section of this act shall have the right to proceed under the provisions of this act to secure the debt or claim arising from the service or labor rendered by such minor as aforesaid.

CHAPTER 150.—*Certain employments of children forbidden.*

SECTION 2. Any person having the care, custody, or control of any minor child under the age of fifteen years who shall in any manner sell, apprentice, give away, or otherwise dispose of such minor, or any person who shall take, receive, or employ such child for the vocation or occupation of rope or wire walking or dancing, or as an acrobat or gymnast, or any person who, having the care, custody, or control of any minor child whatsoever, and shall sell, apprentice, give away, or otherwise dispose of such minor, or who shall take, receive, or employ such minor for begging, or any obscure [*sic*], or indecent, or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, or any person who shall retain, harbor, or employ any minor child in or about any assignation house or brothel, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of record shall be fined not less than twenty dollars nor more than one hundred dollars for each and every offence.

ACTS OF 1881.

CHAPTER 329.—*Protection of employés as voters.*

SECTION 1. If any person, or corporation existing or doing business in this State, shall hinder, control, coerce or intimidate, or shall attempt to hinder, control, or coerce, or intimidate any qualified elector of this State from or in the exercise of his right to vote at any general, special or municipal election held under the *laws of this* State by means of bribery, or by threats of depriving such elector of

employment or occupation, absolutely or contingently, directly or indirectly; every such person or corporation so offending shall be guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay to the State of Delaware a fine of not less than five hundred nor more than two thousand dollars or be imprisoned (if a natural person) not more than one year or both in the discretion of the court. And every elector so aggrieved may also, in an action of debt brought for that purpose, sue for and recover from the person or corporation so offending as aforesaid, the sum of five hundred dollars.

SECTION 2. In all trials under the provisions of the foregoing section, the act or acts of any officer of a corporation so far as they affect or concern any employé or servant of such corporation, shall be taken and held to be the act or acts of the corporation, whether general or special authority as to such act or acts from the corporation, to such officer be shown or not. But nothing herein contained shall be construed to relieve any officer of a corporation from individual liability under the provisions of this act.

CHAPTER 538.—*Exemption from execution, etc.—Sewing machines.*

SECTION 1. In addition to articles now exempt by law, all sewing machines owned and used by seamstresses or private families, shall be exempt from levy and sale on execution or attachment process and also from distress and sale for rent: *Provided*, This act shall not apply to persons who keep sewing machines for sale or hire.

CHAPTER 542.—*Exemption from execution, etc.—Wages.*

SECTION 1. (As amended by chap. 222, acts of 1887.) * * * The amount of the wages for labor or service of any person residing within Newcastle County, shall be exempt from [mesne attachment process and] execution attachment process, under the laws of this State, except where the said execution attachment process is for board or lodging or both, as the case may be, and for an amount not exceeding fifty dollars, exclusive of costs.

CHAPTER 546.—*Fire escapes on factories, etc.*

SECTION 1. The owner or owners of any building * * * being more than two stories in height, and which shall be used in the third or any higher story, in whole or in part as a * * * factory or workshop, or as a tenement house * * * shall be required to furnish such building with sufficient permanent fire escapes from the third and all higher stories, and which escapes shall be kept and maintained in good order. Such fire escapes may be by means of stairways or ladders outside the building, or by stairways in a separate tower or structure furnished with safe and easy communication with such building: *Provided*, That this act shall not apply to any building whatever that is already supplied with two or more independent stairways leading from the highest story to the ground floor, if said stairways shall not be nearer to each other at any point than a distance of sixty feet.

SECTION 2. It shall be the duty of the chief engineer of the fire department of any city, town or borough where there may be such officers, or if there be no such officer therein, then of the mayor or chief officer thereof, and in all other places of the clerk of the school district wherein any such building is located, to examine such fire escapes as to their suitableness and sufficiency, whether as to quality, location or number. If upon examination such escapes be found to be sufficient and suitable, the person examining shall give the owner of such building or some one of them, if more than one, a certificate stating such examination and his approval, which certificate shall be good for two years, at the expiration of which time another examination shall be had and a like certificate given. Such certificate of approval shall be evidence of sufficient compliance with the requirements of this act and shall protect such owner from any penalty herein prescribed during the time for which it may have been given. The fee for such examination shall be one dollar.

SECTION 4. Every owner of any such building as is specified in this act, whether an individual or a body corporate, who shall fail to comply with the provisions thereof shall be deemed guilty of a misdemeanor and be liable to indictment, and upon conviction shall forfeit and pay to the State a fine not exceeding two hundred dollars, and in case of a corporation, payment of the fine may be enforced by a writ of *fieri facias* to be issued out of the court where such conviction was had on the judgment thereof and continued by *venditioni exponas* as upon judgments in the superior court.

ACTS OF 1883.

CHAPTER 147.—*Wages preferred—In insolvency.*

SECTION 38. In case of the insolvency of any corporation, the laborers in the employ thereof shall have a lien upon the assets thereof for the amount of the wages due to them, not exceeding one month's wages respectively, which shall be paid prior to any other debt or debts of said company; and the word "laborers" shall be construed to include all persons doing labor or service of whatever character for, or as workmen or employés in the regular employ of such corporations.

ACTS OF 1887.

CHAPTER 238.—*Seats for female employés.*

SECTION 1. Every person or corporation employing female employés in any manufacturing, mechanical or mercantile establishments in this State shall provide suitable seats for the use of the female employés so employed, and shall permit the use of such by them when not necessarily engaged in the active duties for which they are employed.

SECTION 2. Any person, firm or corporation violating any of the provisions of this act, shall be punished by a fine of not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each offense.

DISTRICT OF COLUMBIA.

REVISED STATUTES OF THE U. S. RELATING TO THE DISTRICT OF COLUMBIA.

CHAPTER 18.—*Corporations—Liability of stockholders for debts due employés.*

SECTION 574. The stockholders of any company organized under the provisions of this chapter shall jointly, severally, and individually be liable for all debts that may be due and owing to all their laborers, servants, and apprentices, for services performed for such corporation, and shall be individually liable for all debts of said corporation to the amount of the stock of each stockholder.

SECTION 575. No stockholder shall be personally liable for the payment of any debt contracted by any such company which is not paid within one year from the time the debt becomes due, unless a suit for the collection of such debt shall be brought against the company within one year after the debt became due; and no suit shall be brought against any stockholder who shall cease to be a stockholder in any such company, for any debt contracted by the company, unless the same shall be commenced within two years from the time he shall have ceased to be a stockholder, nor until an execution against the company shall have been returned unsatisfied in whole or in part.

CHAPTER 22.—*Earnings of married women.*

SECTION 727. In the District the right of any married woman to any property, personal or real, * * * acquired during marriage in any other way than by gift or conveyance from her husband, shall be as absolute as if she were unmarried, and shall not be subject to the disposal of her husband, nor be liable for his debts.

CHAPTER 23.—*Exemption from execution, etc.—Personal property.*

SECTION 797. The following property, being the property of the head of a family or householder, shall be exempt from distraint, attachment, levy, and sale on execution or decree of any court in the District:

First. All wearing apparel belonging to all persons, and to all heads of families, being householders;

Second. All beds, bedding, household furniture, stoves, cooking utensils, and so forth, not exceeding three hundred dollars in value;

Third. Provisions for three months' support, whether provided or growing;

Fourth. Fuel for three months;

Fifth. Mechanics' tools and implements of the debtor's trade or business amounting to two hundred dollars in value, with two hundred dollars' worth of stock for carrying on the business of the debtor or his family;

Sixth. The library and implements of a professional man or artist, to the value of three hundred dollars;

Seventh. One horse, mule, or yoke of oxen; one cart, wagon, or dray, and harness for such team;

Eighth. Farming utensils, with food for such team for three months, and if the debtor be a farmer, any other farming tools of the value of one hundred dollars;

Ninth. All family pictures, and all the family library not exceeding in value four hundred dollars;

Tenth. One cow, one swine, six sheep; and these exemptions shall be valid when the property is in transitu, the same as if at rest; but no property named and exempted in this section shall be exempted from attachment or execution for any debt due for the wages of servants, common laborers, or clerks, except the wearing apparel, beds, and bedding, and the household furniture and provisions, for the debtor and family.

CHAPTER 31.—*Judgment for wages not to be stayed.*

SECTION 1025. There shall be no stay of execution on any judgment for the wages of a servant or common laborer, nor upon any judgment for a less sum than five dollars; but in such cases execution may issue immediately, and judgments shall be entered within two days after the trial of the action.

CHAPTER 35.—*Convict labor.*

SECTION 1109. The inspectors shall direct in what labor the convicts shall be employed, subject to the provisions of section eleven hundred and twenty-five.

SECTION 1110. It shall be the duty of the inspectors so to manage the affairs of the penitentiary, if it be possible, that the proceeds of the labor of the convicts shall pay all the expenses of the penitentiary and more; but nothing contained in this section shall prevent the inspectors from employing the convicts in labor for the United States.

SECTION 1125. The warden shall, so far as practicable, employ the convicts in the manufacture of shoes for the use of the Army and Navy, to be made as the War and Navy Department shall direct; orders for which shall be, by said Departments, given to the warden from time to time upon his request; the shoes to be paid for by the Departments ordering the same at the customary rate for shoes of like quality.

SECTION 1126. The following are prison regulations:

* * * * * * *

Eighth. They [the convicts] shall be kept, as far as may be consistent with their age, health, sex, and ability, to labor of the hardest and most servile kind, and, as far as may be, uniform in its nature, and of a kind where the work is least liable to be spoiled by ignorance, neglect, or obstinacy, or the materials to be injured, stolen, or destroyed.

* * * * * * *

ACTS OF 1876–'77.

CHAPTER 117.—*Exemption from taxation.*

SECTION 8. The property exempt from taxation under this act shall be the following and no other, namely: * * * fourthly, personal property not in said district and taxed elsewhere, but owned by persons domiciled in said district; fifthly, personal property not held for sale and not over the value of five hundred dollars.

ACTS OF 1877–'78.

CHAPTER 321.—*Exemption from execution, etc.—Wages.*

SECTION 1. The earnings, not to exceed one hundred dollars each month of all actual residents of the District of Columbia, and who are married persons, or who have to provide for the support of a family in said District, for two months next preceding the issuing of any writ or process from any court or justice of the peace, or other officer of and in said District, against them, shall be exempt from attachment, levy, or seizure, or sale upon such process; and the same shall not be seized, levied on, taken, reached, or sold by attachment, execution, or any other process, or proceedings of any court, judge, justice of the peace, or other officer of and in said District: * * *.

ACTS OF 1884–'85.

CHAPTER 58.—*Certain employments of children forbidden.*

SECTION 3. * * * Any person, having in his custody or control a child under the age of fourteen years, who shall in any way dispose of it with a view to its being employed as an acrobat, or a gymnast, or a contortionist, or a circus-rider, or a rope-walker, or in any exhibition of a like dangerous character, or as a beggar, or mendicant, or pauper, or street-singer, or street-musician; or any person who shall take, receive, hire, employ, use, exhibit, or have in custody any child of the age last named for any of the purposes last enumerated, shall be deemed guilty of a misdemeanor, and when convicted thereof shall be subject to punishment by a fine of not more than two hundred and fifty dollars, or by imprisonment for a term not exceeding two years, or both.

ACTS OF 1886–'87.

CHAPTER 45.—*Fire-escapes on factories, etc.*

SECTION 1. It shall be the duty of the owner or owners, in fee or for life, of every building constructed and used, or intended to be used, as a * * * factory, manufactory, * * * tenement house, * * * and of the trustee or trustees of every estate, association, society, college, academy, school, hospital, or asylum owning or using any building fifty feet high or upwards, used for any of the purposes hereinabove mentioned, to provide and cause to be erected and affixed to said building iron fire escapes and combined stand pipes and ladders, or either of said appliances as may be approved and adopted by the commissioners of the District of Columbia.

SECTION 2. In all * * * factories, manufactories, workshops, * * * or other places mentioned in this act, the hallways and stairways shall be properly lighted when occupied at night; and at the head and foot of each flight of stairs, and at the intersection of all hallways with main corridors, shall be kept during the night a red light; and one or more proper alarms or gongs, capable of being heard throughout the building, shall always remain easy of access and ready for use in each of said buildings, to give notice to the inmates in case of fire; and there shall be kept posted in a conspicuous place in every sleeping room a notice descriptive of such means of escape; and the building inspector and chief engineer of the fire department shall have the right to designate the location of said fire escapes and stand pipes in conformity with this act, and shall grant certificates of approval to every person, firm, corporation, trustee, and board of school trustees complying with the requirements of this act, which certificate shall relieve the party or parties from the liabilities of fines or damages imposed by this act.

SECTION 3. Every person, corporation, trustee, or board of school directors neglecting or refusing to comply with the requirements of the first section of this act, upon receiving thirty days' notice of the same, shall be liable to a fine not exceeding one hundred dollars, to be collected as fines are now by law collected; and the building inspector and chief engineer shall cause to be erected upon said building said appliances as in their judgment may be necessary, and the same shall be charged and held as a lien against said property and collected the same as other improvements made by the District authorities; and in case of fire occurring in any such building not provided with said appliances as may be required by the building inspector and chief engineer of the fire department, and in accordance with the requirements of the first section of this act, the person, persons, trustee, trustees, corporation, or school directors who or which neglected to provide such building with said appliances as aforesaid shall be liable in an action for damages in case of death or personal injury being caused in consequence of such fire breaking out in said building; and such action may be maintained by any person or persons now authorized by law to sue, as in other cases for injuries caused by neglect of duty.

CHAPTER 272.—*Examination, licensing, etc., of stationary engineers.*

SECTION 1. It shall be unlawful for any person to act as steam engineer in the District of Columbia who shall not have been regularly licensed to do so by the commissioners thereof.

SECTION 2. All persons applying for such license shall be examined by a board of examiners composed as follows: The boiler inspector for the District of Columbia and two practical engineers to be appointed by the District commissioners. Said examination shall be conducted in all respects under such rules and regulations as the commissioners of the District of Columbia shall from time to time

provide; and all steam boilers and engines shall be subjected to such tests as the said Commissioners may prescribe.

SECTION 3. Applicants for license as steam engineers must be twenty-one years of age and of temperate habits; must make application in writing, to which application must be attached a certificate as to character and moral habits signed by at least three citizens of the District of Columbia, themselves of moral standing.

SECTION 4. The fee for a license as steam engineer shall be three dollars.

SECTION 5. Any person employed as a licensed steam engineer in the District of Columbia who is found under the influence of intoxicating liquor while on duty, shall, for the first offense, have his license revoked for six months; for the second offense, twelve months; and for the third offense, shall have his license revoked and be debarred from following the occupation of licensed steam engineer in the District of Columbia for the period of five years.

SECTION 6. Any owner or lessee of steam boiler or engine, or the secretary of any corporation, who shall knowingly employ a steam engineer as such who has not been regularly licensed to act as such, shall on conviction thereof by the police court of the District of Columbia, be fined fifty dollars, and in default of payment of such fine shall be confined for a period of one month in the workhouse of the District of Columbia: *Provided*, That boilers used for steam heating, where the water returns to the boiler without the use of a pump and injector or inspirator, and which are worked automatically, shall be exempt from the provisions of this section.

CHAPTER 390.—*Elevators.*

SECTION 1. The Commissioners of the District of Columbia * * * are hereby authorized and directed to make and publish such orders as may be necessary to regulate the construction, repair, and operation of all elevators within the District of Columbia, and prescribe such means of security as may be found necessary to protect life and limb.

SECTION 2. Any person or persons, or corporation, who shall neglect or refuse to comply with the orders made pursuant to this act, shall, upon conviction thereof in the police court of the District of Columbia, * * * be fined not less than ten dollars nor more than one hundred dollars for each offense.

FLORIDA.

CONSTITUTION.

ARTICLE 9.—*Exemption from taxation.*

SECTION 9. There shall be exempt from taxation property to the value of two hundred dollars to every widow that has a family dependent on her for support, and to every person that has lost a limb or been disabled in war or by misfortune.

ARTICLE 10.—*Exemption from execution, etc.*

SECTION 1. A homestead to the extent of one hundred and sixty acres of land, or the half of one acre within the limits of any incorporated city or town, owned by the head of a family residing in this State, together with one thousand dollars' worth of personal property, and the improvements on the real estate, shall be exempt from forced sale under any process of any court, and the real estate shall not be alienable without the joint consent of husband and wife, when that relation exists. But no property shall be exempt from sale for taxes or assessments, or for the payment of obligations contracted for the purchase of said property, or for the erection or repair of improvements on the real estate exempted, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner; and no judgment or decree or execution shall be a lien upon exempted property except as provided in this article.

SECTION 2. The exemptions provided for in section 1 shall inure to the widow and heirs of the party entitled to such exemption, and shall apply to all debts, except as specified in said section.

SECTION 5. No homestead provided for in section 1 shall be reduced in area on account of its being subsequently included within the limits of an incorporated city or town, without the consent of the owner.

SECTION 6. The legislature shall enact such laws as may be necessary to enforce the provisions of this article.

ARTICLE 11.—*Separate estate of a married woman liable for claims for labor, etc.*

SECTION 2. A married woman's separate real or personal property may be charged in equity and sold, or the uses, rents and profits thereof sequestrated * * * for labor and material used with her knowledge or assent in the construction of buildings, or repairs, or improvements upon her property, or for agricultural or other labor bestowed thereon, with her knowledge and consent.

ARTICLE 16.—*Mechanic's liens.*

SECTION 22. The legislature shall provide for giving to mechanics and laborers an adequate lien on the subject matter of their labor.

McCLELLAN'S DIGEST OF 1881.

CHAPTER 47.—*Convict labor.*

SECTION 1. The board of county commissioners of the several counties of this State may employ all persons imprisoned in the jails of the several counties in this State, under sentence upon conviction for crime, or for a failure to pay a fine and costs imposed upon conviction for crime, at labor upon the streets of incorporated cities or towns, upon the roads, bridges and public works in the several counties where they are so imprisoned, * * *.

SECTION 2. All convicts employed under the provisions of the foregoing section shall not be required to labor more than ten hours per day, * * *.

SECTION 3. Every male person convicted of any offence in a justice's court, and sentenced to imprisonment in the county jail, or imprisoned for the non-payment of a fine or cost under the provisions of this chapter, may be employed at such manual labor as may be directed by the county commissioners of the county, in or upon any buildings, yards, streets, roads, bridges, or public works of any kind within their county, and under such regulations as they may prescribe, but not to exceed ten hours' labor in each twenty-four hours; * * *.

SECTION 4. The county commissioners of the several counties of this State shall be, and they are hereby authorized to hire out, upon such terms and conditions as they may deem advisable, any and all persons convicted of any criminal offense and sentenced to confinement in the county jail, for any time during the period of such confinement, * * * : *Provided*, That no such convict shall be required to work more than ten hours in each twenty-four hours.

SECTION 5. When any person is confined in the county jail under sentence to pay a fine, such person may be hired out by the board of county commissioners in the manner provided in the preceding section, * * *.

CHAPTER 69.—*Enticing laborers.*

SECTION 24. If any person shall entice, induce or otherwise persuade any laborer or employé to quit the service of another to which he was bound by contract, before the expiration of the term of service stipulated in said contract, he shall be guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not exceeding one thousand dollars.

CHAPTER 79.—*Sunday labor.*

SECTION 9. It shall not be lawful for any person to follow any pursuit, business or trade on the Sabbath, the first day of the week, either by manual labor or with animal or mechanical power, except the same be work of "necessity," or justified by the accident or circumstances of the occasion.

SECTION 10. No merchant or shop-keeper or other person shall keep open store, or dispose of any wares, merchandise, goods or chattels on the Sabbath day, or sell or barter the same: *Provided*, That in cases of emergency or necessity they may dispose of the comforts and necessaries of life to customers without keeping open doors.

SECTION 11. Any violation of this law shall be deemed a misdemeanor, and any person convicted thereof shall be subject to a fine of not less than twenty dollars and not more than fifty dollars.

SECTION 12. If any person on the Sabbath day shall employ his apprentice or servant in labor or other business, except it be in the ordinary household business of daily necessity, or other work of necessity or charity, he shall forfeit and pay the sum of ten dollars for every such offense.

SECTION 13. No merchant or shop-keeper or other person shall keep open store or dispose of any wares, merchandise, goods or chattels on the Sabath day, or sell or barter the same, upon pain that every person so offending shall forfeit *and pay the sum of twenty* dollars for every such offence.

CHAPTER 80.—*Employment of children.*

SECTION 39. Any person or persons who shall hire or employ, or cause to be hired or employed, any minor, knowing such minor to be under the age of fifteen years, and under the legal control of another, without the consent of those having such control, for more than sixty days, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not to exceed twenty dollars, or imprisonment in the county jail for sixty days, or by both such fine and imprisonment, at the discretion of the court.

CHAPTER 90.—*Hours of labor.*

SECTION 1. Ten hours of labor shall be considered and regarded as a legal day's work, and held to be such by the courts of this State.

SECTION 2. Whenever a person is employed to perform manual labor of any kind by the day, week, month or year, and the said person renders ten hours of work, he shall be considered as having performed a legal day's work: *Provided*, A written contract has not been signed by the person so employed and the employer, requiring a less or greater number of hours of labor to be performed daily.

SECTION 3. Unless such written contract has been entered into and signed by the laborer and employer in the presence of one or more witnesses, the person so employed shall be entitled to extra pay for all work performed in excess of ten hours' labor daily, if so required by his employer.

CHAPTER 104.—*Exemption from execution, etc.*

SECTION 1. A homestead to the extent of one hundred and sixty acres of land, or the half of one acre within the limits of any incorporated city or town, owned by the head of a family residing in this State, together with one thousand dollars' worth of personal property, and the improvements on the real estate, shall be exempted from forced sale under any process of law, and the real estate shall not be alienable without the joint consent of husband and wife, when that relation exists. But no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner.

SECTION 2. * * * Nothing herein contained shall be so construed as to exempt any property from sale for the payment of purchase money of the same or the payment of taxes or labor.

SECTION 3. The exemptions provided for in sections 1 and 2 of this chapter shall accrue to the heirs of the party having enjoyed or taken the benefit of such exemption; and the exemption provided for in section one of this chapter shall apply to all debts, except as specified in said section, no matter when or where the debt was contracted, or liability incurred.

SECTION 4. The property hereafter mentioned shall be exempted from levy and sale. The necessary wearing apparel and bedding of every person, and the necessary wearing apparel, bedding, household and kitchen furniture of every family: *Provided*, Said household and kitchen furniture does not exceed in value two hundred dollars, shall be exempted from execution, attachment and distress.

SECTION 5. The following property may be claimed as exempt from execution, attachment and distress, except in cases hereinafter provided: The horse, saddle and bridle, or the horse, saddle, vehicle and harness, of every clergyman, not exceeding in value three hundred dollars; the horse, saddle, bridle, medicine and professional books and instruments of every surgeon and physician, and the professional books and libraries of all professional men, not exceeding three hundred dollars in value; one set of working tools or instruments of every mechanic, artist, dentist, artisan or tradesman, not exceeding in value three hundred dollars; the horse and gun, not exceeding in value two hundred dollars, belonging to every farmer who is in actual cultivation of five or more acres of land within this State. Every actual housekeeper with a family may claim as exempt such portion of his property as may be necessary for the support of himself and family, not to exceed in value three hundred dollars, thereby waiving claim to all right to other exemption of property afforded by this section: *Provided*, That in all the cases before stated the defendant is not removing out of the State nor resides beyond the limits thereof, nor is removing his property beyond the limits of the same, nor is secreting or fraudulently disposing of his property for the purpose of avoiding the payment of his just debts: *And pro-*

vided, also, The defendant shall make affidavit and establish by sufficient testimony that he has made a faithful and complete statement of all his property, in trust or otherwise, of all moneys, debts or demands due or to become due, which statement shall be signed by him, and with the affidavit and testimony accompanying the return of the property; every dwelling house, and the lot on which it stands, in any city, town, or village of this State, when the owner or his family shall actually reside in said house, and when the house and lot shall not exceed in value one thousand dollars, subject to the provisions and conditions in this section.

SECTION 6. * * * *Provided,* That nothing contained in sections four, five and six, shall exempt any of the property therein mentioned from execution, attachment and distress for a violation of any of the criminal laws of the State, fines imposed by a court-martial, or for nonperformance of road duty, or for taxes due on the same for county or State purposes.

SECTION 7. Every farmer seized and possessed of forty acres of land in his own right in fee simple, and who shall actually have in cultivation or productive use at least five acres of the same, shall hold the said forty acres free and exempt from execution, attachment and distress, except for a violation of the criminal laws of the State, or fines imposed by a court-martial, road commissioners, or taxes due for the State or county purposes, as hereinbefore provided: *Provided,* The land and improvements do not exceed in value one thousand dollars; said valuation to be ascertained as hereinbefore provided in section six: *And provided, further,* That if, upon such valuation, said land shall exceed one thousand dollars, it shall be the duty of said appraisers to set apart a portion of said land, including the dwelling or residence thereon, in case the same shall not be valued at more than one thousand dollars; if so, they shall set apart any portion of said land which may be selected by the owner thereof not exceeding in value one thousand dollars, which shall be exempted from sale and reserved for the use of said family. Also, the following property shall be exempt: The boat of every fisherman, pilot, or resident upon any island, and the boat and flat of every ferryman, when in either case the same shall not exceed in value two hundred dollars.

SECTION 9. All lands located by any soldier under any warrant issued under and by virtue of any act of Congress granting bounty lands, approved 28th September, 1850, be and the same are hereby exempted from attachment, execution, or distress as long as said land may be in the possession of the soldier holding the same: *Provided,* such person has no other lands exempted under this chapter.

SECTION 10. *Provided,* That nothing herein contained shall impair any vested right hitherto existing by virtue of any statute or lien, or previous indebtedness.

SECTION 15. Any person owning and occupying any dwelling house or land not his own, which he may possess rightfully by lease or otherwise, and claiming such house at his homestead, shall be entitled to the exemption of such house from levy and sale as aforesaid.

SECTION 16. Real and personal estate, exempted from forced sale under any process of law, shall likewise, after the death of the owner, being the head of the family, be exempt from sale, in all cases in which any widow or infant children of the owner shall survive and claim such exemption, and such property or the rents and profits thereof shall not go into the hands or possession of an executor or administrator as assets for the payment of the debts of such deceased owner, and shall be liable only for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon, or for horse [house], field, or other labor performed on the same.

SECTION 22. Whenever any person shall die in this State leaving insurance upon his or her life, the said insurance shall inure exclusively to the benefit of his or her child or children, husband or wife, in equal portions, or to any other person or persons for whose use and benefit said insurance is declared in the policy; and the proceeds thereof shall in no case be liable to attachment, garnishment or any legal process by any creditor or creditors of the person whose life was so insured, unless said policy declares that said insurance was effected for the benefit of such creditor or creditors.

CHAPTER 104.—*Exemption from garnishment, etc.—Wages.*

SECTION 23. No writ of attachment or garnishment shall issue from any of the courts of this State to attach or delay the payment of any money due to any person who is the head of a family, residing in this State, when the money is due for the personal labor or services of such person.

SECTION 24. That whenever any money due for labor or services as aforesaid is attached by garnishment process, the person to whom the same is due and owing may make oath before the officer who issued the process that the money

attached is due for the personal labor and services of such persons, and that he or she is the head of a family residing in this State. When such an affidavit is made, notice of the same shall be forthwith given to the party or his attorney who sued out the attachment and garnishment, and if the facts set forth in said affidavit and not denied under oath within two days after the service of said notice, the attachment or garnishment shall be returned, and all proceedings under the same shall cease. If the facts stated in the affidavit are denied by the party who sued out the attachment, within the time above set forth and under oath, then the matter shall be tried by the court from which the writ or process issued, in like manner as claims to property levied upon by writ of execution are now provided to be tried, and the money attached shall remain subject to the attachment until released by the judgment of the court which shall try the issue.

ACTS OF 1887.

CHAPTER 3681.—*Exemptions from taxation.*

SECTION 4. The following property shall be exempt from taxation:

* * * * * * *

Seventh. There shall be exempt from taxation property to the value of two hundred dollars to every widow dependent upon her own exertions, that has a family dependent upon her for support, and to every person that has lost a limb or been disabled in war or by misfortune to that extent that disqualifies him from the performance of manual labor.

CHAPTER 3744.—*Liability of railroad companies for injuries of employés.*

SECTION 2. If the person injured is himself an employé of the company, and the damage was caused by another employé, and without fault or negligence on the part of the person injured, his employment by the company shall be no bar to the revovery, and no contract which restricts such liability shall be legal or binding.

ACTS OF 1889.

CHAPTER 3883.—*Convict labor.*

SECTION 18. Prisoners sentenced to the punishment of hard labor shall be constantly employed for the benefit of the State, but no prisoner shall be compelled to labor more than ten hours a day, and all prisoners, except such as may be on the disabled list or in solitary confinement, shall labor not less than eight nor more than ten hours a day.

SECTION 33. The commissioner of agriculture of the State of Florida, with the approvol of the board of commissioners of State institutions, may enter into contracts with any person or persons for the labor, maintenance and custody of any or all prisoners sentenced to or confined within the State prison in such manner as the said board of commissioners of State institutions may deem most advantageous to the interests of the State, and with due regard for the health, humane treatment and safe custody of the prisoners. Such contracts may be made for a term of years not exceeding four, and the prisoner shall not be worked before sunrise or after sunset on any day, and no labor shall be done on the Sabbath day. * * * *Provided*, That in case the commissioner of agriculture does not receive any applications to pay the State for the labor of such prisoners, then he shall enter into such contracts, with the approval of the said board of commissioners of State institutions, for the payment by the State to any person or persons such sums of money for taking such prisoners on such contracts as may be deemed advantageous to the interests of the State, * * * and the prisoners contracted for may be used or employed at any point in the State of Florida, according to the terms of the contract.

GEORGIA.

CONSTITUTION.

ARTICLE 9.—*Exemption from execution, etc.*

SECTION 5210. There shall be exempt from levy and sale, by virtue of any process whatever under the laws of this State, except as hereinafter excepted of the property of every head of a family, or guardian, or trustee of a family of minor children, or every aged or infirm person, or person having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or both, to the value in the aggregate of sixteen hundred dollars.

SECTION 5211. No court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, execution, or decree, against the property set apart for such purpose, including such improvements as may be made thereon from time to time, except for taxes for the purchase money of the same for labor done thereon, for material furnished therefor, or for the removal of encumbrances thereon.

SECTION 5212. The debtor shall have power to waive or renounce in writing his right to the benefit of the exemption provided for in this article, except as to wearing apparel, and not exceeding three hundred dollars' worth of household and kitchen furniture, and provisions, to be selected by himself and his wife, if any, and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor, and his wife, if any, jointly, with the sanction of the judge of the superior court of the county, where the debtor resides or the land is situated, the proceeds to be reinvested upon the same uses.

CODE OF 1882.

PART I.

TITLE 8.—*Exemption from sale for taxes.*

SECTION 895. Property exempted from levy and sale ordinarily, is exempted from levy and sale for taxes.

TITLE 13.—*Manual-labor schools.*

SECTION 1273. The county board of education shall have power to organize, in each county, one or more manual-labor schools, on such a plan as shall be self-sustaining: *Provided*, That the plan be first submitted to and approved by the State board of education.

PART II.

TITLE 2.—*Hours of labor—Children.*

SECTION 1885. The hours of labor by all persons under twenty-one years of age, in all cotton, woolen, or other manufacturing establishments, or machine shops in this State, shall be from sunrise until sunset, the usual and customary times for meals being allowed from the same; and any contract made with such persons or their parents, guardians, or others, whereby a longer time for labor is agreed upon or provided for, shall be null and void, so far as relates to the enforcement of said contracts against such laborers.

TITLE 2.—*Corporeal punishment of minor laborers forbidden.*

SECTION 1886. No boss or other superior in such establishment shall inflict corporeal punishment upon such minor laborers; and the owners of such factory or machine shop shall be directly liable for all such conduct on the part of their employés; and such minor may sue in his own name for damages for such conduct, and the recovery shall be his own property, and not belong to his parents.

TITLE 3.—*Conditional sale of personal property.*

SECTION 1955*a*. Whenever personal property is sold and delivered with the condition affixed to the sale, that the title thereto is to remain in vender of such personal property until the purchase price thereof shall have been paid, every such conditional sale, in order for the reservation of title to be valid as against third parties, shall be evidenced in writing, and not otherwise. And the written contract of every such conditional sale shall be executed and attested in the same manner as is now provided by existing laws for the execution and attestation of mortgages on personal property: *Provided, nevertheless*, That, as between the parties themselves, the contract as made by them shall be valid, and may be enforced whether evidenced in writing or not. The existing statutes and laws of this State in relation to the registration and record of mortgages on personal property, shall apply to and affect all conditional sales of personal property as defined in this section.

TITLE 3.—*Exemption from execution, etc.*

SECTION 2002. There shall be exempt from levy and sale, by virtue of any process whatever, under the laws of this State, except as hereinafter excepted, of the property of every head of a family, or guardian, or trustee of a family of minor children, or every aged or infirm person, or person having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or both, to the value in the aggregate of sixteen hundred dollars;

and no court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, execution or decree against the property set apart for such purpose, including such improvements as be made thereon, from time to time, except for taxes, for the purchase money of the same, for labor done thereon, for material furnished therefor, or for the removal of encumbrances thereon.

SECTION 2032. Nothing contained in * * * [above section] shall be construed to prevent any debtor who does not wish to avail himself of the benefits of * * * [above section] from claiming the exemptions allowed by section 2040. * * * But no person who shall be allowed the exemptions under said section shall take any benefit under * * * [above section]. Nor shall any person who shall be allowed the exemptions under the law contained in * * * [above section], be allowed the exemptions under said section 2040, "unless the homestead and exempted property so elected is lost by virtue of a sale under an outstanding claim, in which event such election shall not bar an application for a homestead and exemption not liable to such outstanding claim."

SECTION 2040. (As amended by act No. 479, page 43, acts of 1887.) The following property of every debtor, who is the head of a family, shall be exempt from levy and sale by virtue of any process whatever, under the laws of this State, nor shall any valid lien be created thereon, except in the manner hereinafter pointed out, but shall remain for the use and benefit of the family of the debtor:

1. Fifty acres of land, and five additional acres for each of his or her children under the age of sixteen years. This land shall include the dwelling house, if the value of such house and improvements does not exceed the sum of two hundred dollars: *Provided*, That none of the above land be within the limits of a city, town or village, and does not include any cotton or wool factory, saw or grist mill, or any machinery propelled by water or steam, the value of which exceeds the sum of two hundred dollars; *And provided, also*, That such land shall not derive its chief value from other cause than its adaptation to agricultural purposes; or, in lieu of the above land, real estate in a city, town or village, not exceeding five hundred dollars in value.
2. One farm horse ormule, or, in lieu thereof, one yoke of oxen.
3. One cow and calf.
4. Ten head of hogs and fifty dollars' worth of provisions, and five dollars' worth additional for each child.
5. Fifty bushels of corn, one thousand pounds of fodder, one one-horse wagon, one table, and a set of chairs sufficient for the use of the family, and household and kitchen furniture not to exceed one hundred ond fifty dollars in value.
6. Beds, bedding, and common bedsteads sufficient for the family.
7. One loom, one spinning wheel, and two pairs of cards, and one hundred pounds of lint cotton.
8. Common tools of trade of himself and wife.
9. Equipment and arms of a militia soldier, and trooper's horse.
10. Ordinary cooking utensils and table crockery.
11. Wearing apparel of himself and family.
12. Family bible, religious works, and school books.
13. Family portraits.
14. The library of a professional man, in actual practice or business, not exceeding three hundred dollars in value, and to be selected by himself.
15. One family sewing machine; this exemption to exist whether the person owning said machine is the head of a family or not, and shall be good against all debts except the purchase money.

SECTION 2048. The property exempt under this law shall be for the use and benefit of the family of the debtor from whose estate said property has been exempted and allowed, and upon the death of the wife, or her subsequent marriage, said property shall remain for the support and benefit of the minor children of said debtor, during their minority.

SECTION 2049. The exemptions and protections contained in the nine preceding sections are hereby extended to intestate insolvent estates, in all cases wherein there is a widow or a child of the deceased intestate living.

TITLE 8.—*Liability of railroad companies for injuries of employés.*

SECTION 3036. If the person injured is himself an employé of the company, and the damage was caused by another employé, and without fault or negligence on the part of the person injured, his employment by the company shall be no bar to the recovery [of damages].

PART III.

TITLE 3.—*Exemption from garnishment, etc.—Wages.*

SECTION 3554. All journeymen, mechanics, and day laborers shall be exempt from the process and liabilities of garnishment on their daily, weekly, or monthly wages, whether in the hands of their employers or others.

PART IV.

TITLE 1.—*Convict labor.*

SECTION 4310. Accessories after the fact, except where it is otherwise ordered in this code, shall be punished by a fine not to exceed one thousand dollars, imprisonment not to exceed six months, to work in the chain-gang on the public works, or on such other works as the county authorities may employ the chain gang, not to exceed twelve months, and any one or more of these punishments may be ordered in the discretion of the judge: *Provided*, That nothing herein contained shall authorize the giving the control of convicts to private persons, or their employment by the county authorities in such mechanical pursuits as will bring the products of their labor into competition with the products of free labor.

TITLE 1.—*Prevention of persons from learning, or working at, trades.*

SECTION 4498. If any two or more persons shall associate themselves together in any society or organization whatever, with intent and for the purpose of preventing, in any manner whatever, any person or persons whomsoever from apprenticing himself or themselves to learn and practice any trade, craft, vocation or calling whatsoever, or for the purpose of inducing, by persuasion, threats, fraud, or any other means, any apprentice or apprentices to any such trade, craft, vocation or calling, to leave the employment of their employer or employers, or for the purpose, by any means whatever, of preventing or deterring any person or persons whomsoever, from learning and practicing any such trade, craft, vocation or calling whatsoever, every such person so associating himself in such society or organization shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as prescribed in section 4310 of this code.

TITLE 1.—*Enticing employés.*

SECTION 4500 (as amended by acts Nos. 306 and 335, pages 57 and 60, acts of 1882-'83). If any person, by himself or agent, shall be guilty of employing the servant, cropper or farm laborer of another, under a written contract, which shall be attested by one or more witnesses, during the term for which he, she or they may be employed, knowing that such servant, cropper or farm laborer was so employed, and that his term of service was not expired; or if any person or persons shall entice, persuade or decoy, or attempt to entice, persuade or decoy any servant, cropper or farm laborer, whether under a written or parol contract, after he, she or they shall have actually entered the service of his or her employer, to leave his employer, either by offering higher wages, or any way whatever, during the term of service, knowing that said servant, cropper or farm laborer was so employed, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as prescribed by section 4310 of the code of this State.

TITLE 1.—*Sunday labor.*

SECTION 4578 (as amended by act No. 405, page 66, acts of 1882-'83). If any freight train, excursion train, or other train than the regular trains run for the carrying of the mails or passengers shall be run on any railroad in this State on the Sabbath day (known as Sunday), the superintendent of transportation of such railroad company, or the officer having charge of the business of that department of the railroad, shall be liable for indictment for a misdemeanor in each county through which such train shall pass, and, on conviction, shall be for each offense [punished as prescribed in section 4310 of this code]. On such trial it shall not be necessary to allege or prove the names of any of the employés engaged on such train, but the simple fact of the train being run. The defendant may justify himself by proof that such employés acted in direct violation of the orders and rules of the defendant: [*Provided, always*, That whenever any train on any railroad in this State, having in such train one or more cars loaded with live stock, which train shall be delayed beyond schedule time, shall not be re-

quired to lay over on the line of road or route during Sunday, but may run on to the point where, by due course of shipment or consignment, the next stock pen on the route may be, where said animals may be fed and watered, according to the facilities usually afforded for such transportation]. And it shall be lawful for all freight trains on the different railroads in this State, running over said roads on Saturday night, to run through to destination: *Provided*, The time of arrival, according to the schedule by which the train or trains started on the trip, shall not be later than eight o'clock on Sunday morning.

SECTION 4579. Any tradesman, artificer, workman or laborer, or other person whatever, who shall pursue their business or work of their ordinary callings upon the Lord's day (works of necessity or charity only excepted), shall be guilty of a misdemeanor, and, on conviction, shall be [punished as prescribed in section 4310 of this code].

TITLE 1.—*Certain employments of children forbidden.*

SECTION 4612 (*f*). Any person whatever, who shall sell, apprentice, give away, or let out, or otherwise dispose of, any child under twelve years old, to any person, for the vocation, occupation, or service of rope or wire-walking, begging, or as a gymnast, contortionist, circus rider, acrobat or clown, or for any indecent, obscene or immoral exhibition, practice or purpose whatever, shall be guilty of a misdemeanor, and punishable under section 4310 of this code; and whoever, under such selling, apprenticing, or letting out, shall receive and use such child, for any of the purposes herein condemned, shall be guilty and punishable in like manner.

TITLE 3.—*Convict labor.*

SECTION 4813 (*a*), (added in "Addenda," page 2). The governor of the State is hereby authorized and required to farm or lease said convicts when discharged from the operations of said hirings or leasings and existing contracts for the space of time not less than twenty years, to one or more companies, as in his judgment will best subserve the interest of the State, or association of persons, which shall be an incorporated company, by virtue of the operation of this act, as hereinafter provided. Said lease or hiring for said term shall be upon such terms and considerations as shall be agreed upon with said company by the governor. * * *

SECTION 4813 (*c*), (added in "Addenda," page 2). * * * From this prison such convicts as under the advice and direction of a physician * * * are adjudged competent to labor on roads, canals, mines, quarries, and making brick, may be taken out and employed by said company as said company may contract to perform and labor upon within the limits of this State; but convicts for long terms—for life and periods of five years or more—when so adjudged fit, by said physician, for hard and physical labor, must, if possible, be employed in mining, and the residue of the convicts held and controlled by said company, meaning thereby those not engaged in working on mines, canals, roads, quarries, and making brick, must be kept at said place or site, known as the penitentiary, and there employed upon such works as are consistent with their health, age, sex and strength; but nothing herein contained shall prevent the lessees from using in farm labor at the place or places where the penitentiary is located, upon their own land, any and all convicts who can not be employed in working upon roads, canals, mines, quarries and making brick. In the performance of labor by either class of convicts there shall be such regulations, restrictions and arrangements made by the governor and said company, to be enforced by the governor of this State, which will associate only persons convicted of crimes of moral turpitude, which shall regard the conditions of the sexes and age of convicts and ability to labor. * * *

SECTION 4813 (*f*), (added in "Addenda," page 3). The incorporated company so leasing said convicts shall not be allowed to sublet or lease or hire to others said convicts. * * *

SECTION 4814. In all cases were persons are convicted of misdemeanor, and sentenced to work in the chain gang on the public works, or public roads, or when such persons are confined in jail for nonpayment of fines imposed for such misdemeanor, the ordinary of the county, and where there is a board of commissioners of roads and revenue of the county, then said board of commissioners, and in those counties where there is a county judge, then said county judge, where such conviction was had, or where such convicts may be confined, may place such convicts, in the county or elsewhere, to work upon such public works of the county, in chain gangs, or otherwise, or hire out such convicts, upon such terms and restrictions as may subserve the ends of justice and place such convicts under such guards as may be necessary for their safe-keeping.

SECTION 4815. The said ordinary shall have power, and is required * * * to hire out, or to bind out, such convicts to contractors on the public works, or to individuals, upon such bonds and restrictions as shall subserve the ends of justice. And for the purposes specified in this section, any two or more counties, by said ordinaries, may combine, keep, and work together, such convicts, on such terms, and upon such public works anywhere in this State, as they may agree upon.

SECTION 4816. When convicts cannot be kept and employed as provided in the preceding section, the said ordinaries may turn them over to the governor of the State, to be employed by him upon such public works in the State as he may deem best. * * *

SECTION 4817. All convicts sentenced to labor on the public works, and turned over to the governor, shall be diligently employed by him at labor upon the Western and Atlantic Railroad, or upon such other public works or improvements as he may judge to be the best interest of the State, and as shall best subserve the ends of justice.

ACTS OF 1884–'85.

Industrial education in public schools.

(Act No. 423, page 72.)

SECTION 1. * * * It shall be lawful for the board of education, or other constituted authorities having charge of the public schools in those counties or municipal corporations having a system of public schools, supported by local taxation, not restricted to the education of children in the elementary branches of English education only, to open and annex to said public schools, in their discretion, a department of industrial education, in which all the students who attend may be taught the use of tools for working in wood and metal. * * *

ACTS OF 1887.

Intimidation, etc., of employers and employés.

(Act No. 347, page 107.)

SECTION 1. * * * If any person or persons, by threats, violence, intimidation or other unlawful means, shall prevent or attempt to prevent any person or persons in this State from engaging in, remaining in or performing the business, labor or duties of any lawful employment or occupation; or if any person or persons, singly or together, or in combination, shall conspire to prevent or attempt to prevent any person or persons by threats, violence or intimidation from engaging in, remaining in or performing the business, labor or duties of any lawful employment or occupation; or if any person or persons, singly or by conspiring together, shall hinder any person or persons who desire to labor from so doing, or hinder any person by threats, violence or intimidation from being employed as laborer or employé, or by the means aforesaid shall hinder the owner, manager or proprietor for the time being from controlling, using, operating or working any property in any lawful occupation, or shall by such means hinder such persons from hiring or employing laborers or emyloyés, such person or persons so offending shall be deemed guilty of a misdemeanor, and on conviction be punished as prescribed in section 4310 of the code of Georgia.

ACTS OF 1889.

Convict labor.

(Act No. 736, page 105.)

SECTION 1. * * * It shall be lawful for the county commissioners in the several counties of this State, and the ordinaries in counties where there are no county commissioners, to hire county convicts to work on the public works from other counties in this State that do not work their own county convicts, upon such terms as may be agreed upon by the authorities in charge of county matters in the counties of this State; *Provided*, Said county authorities shall work said convicts in connection with the county convicts from their own counties, which they are hereby authorized to do, on the public works.

Hours of labor.

(Act No. 599, page 163.)

SECTION 1. * * * The hours of labor required of all persons employed in all cotton or woolen manufacturing establishments in this State, except engineers, firemen, watchmen, mechanics, teamsters, yard employés, clerical force, and all

help that may be needed to clean up and make necessary repairs or changes in or of machinery, shall not exceed eleven hours per day, or the same may be regulated by employers, so that the number of hours shall not in the aggregate exceed sixty-six hours per week: *Provided*, That nothing herein contained shall be construed to prevent any of the aforesaid employés from working such time as may be necessary to make up lost time, not to exceed ten days, caused by accidents or other unavoidable circumstances.

SECTION 2. All contracts made, or entered into, whereby a longer time for labor than is provided in the foregoing section of this act, shall be required of said employés, hereinbefore described, shall be absolutely null and void, so far as the same relates to the enforcement of said contracts with said employés, any law, usage, or custom to the contrary notwithstanding.

SECTION 3. Any cotton or woolen manufacturing establishments that shall make or enforce any contract in violation of the foregoing section with any person as an employé therein, shall be subject to a forfeiture of an amount not less than twenty and not more than five hundred dollars for each and every such violation.

SECTION 4. Any person with whom said contract is made, or any person having knowledge thereof, shall be competent to institute suit against said cotton or woolen manufacturing establishments, under the rules prescribed for bringing suits in this State. * * *

Seats for female employés.

(Act No. 609, page 167.)

SECTION 1. All persons and corporations employing females in manufacturing, mechanical or mercantile establishments must provide suitable seats, and permit their use, by such females when not necessarily engaged in the active duties for which they were employed.

SECTION 2. Any person who shall fail to comply with the requirements of the first section of this act, and the officers of any corporation, which shall fail to comply with the requirements of the first section of this act, shall be guilty of a misdemeanor; and, on conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

Fire escapes on factories, etc.

(Act No. 610, page 168.)

SECTION 1. Owners of every building more than two stories in height, not including the basement, used in the third or higher stories, in whole or in part, as factory or workshop, shall provide more than one way of egress from each story of said building, above the second story, by stairways, on the inside or outside of said building and such stairways shall be, as nearly as may be practicable, at opposite ends of each story, and so constructed that, in case of fire, the ground can be readily reached from the third and higher stories. Stairways on the outside of said building shall have suitable railed landings at each story above the first, and shall connect with each of said stories by doors or windows, opening outwardly, and such doors, windows and landings shall be kept at all times clear of obstructions. All the main doors of such buildings, both inside and outside, shall open outwardly, and each story shall be amply supplied with means for extinguishing fires.

SECTION 2. The municipal authorities of the town or city, where such building is situated, or the ordinary of the county, if the building is situated outside of any town or city, shall require the fire marshal, or chief officer of the fire department, and if there is no fire marshal nor chief fireman, then some other suitable official, to examine such buildings at least once a year, and report in writing to said municipal authorities, or said ordinary, that the requirements of the first section of this act have or have not been complied with. If not complied with the municipal authorities or the ordinary of the county, as the case may be, shall notify in writing the owner of such building, to provide needful alterations or additions.

SECTION 5. Owners of buildings referred to in this act, who fail to comply with the requirements of the first section of this act * * * or after having received written notice from the designated authorities, shall refuse or neglect to make the alterations specified in said written notice, shall be guilty of a misdemeanor, and in the first case, shall be liable to a fine not less than twenty-five nor more than one hundred dollars, but in the second case, after having received written notice, shall be liable to a fine of not less than twenty-five nor more than

one hundred dollars for each month that said refusal or neglect continues, commencing thirty days from the date when said written notice has been received by said owner.

ACTS OF 1890.

Stationary engineers exempt from jury duty.

(Act No. 70.)

SECTION 1. * * * All regularly licensed stationary engineers in this State, actually engaged in the regular management of engines at their place of occupation, shall be exempt from jury duty; but nothing herein contained shall be construed to disqualify the persons above named from jury duty, or to exclude their names from the jury box.

Railroad companies—Telegraph operators.

(Act No. 148.)

SECTION 1. From and after the first day of February, 1891, it shall be unlawful for any railroad company to employ, in this State, any telegraph operator to receive and transmit dispatches governing the movement of trains who is less than eighteen years of age, and who has not had at least one year's experience as a telegraph operator, and who has not stood a thorough examination before the railroad superintendent or train master and received a certificate of his competency from such officers. A written record of said certificate shall be kept in the office of the officer issuing it and be subject to inspection at any time; *Provided, however*, That this law shall not apply to any operator above sixteen years of age employed in any telegraph office in this State at the time this act goes into effect.

SECTION 2. Any railroad company violating the requirements of section one of this act shall forfeit for each and every offense a sum not less than fifty dollars and not more than five hundred dollars. All forfeitures collected under the provisions of this act shall be paid into the State treasury to the credit of the public-school fund.

IDAHO.

CONSTITUTION.

ARTICLE 13.—*Bureau of immigration, labor and statistics.*

SECTION 1. There shall be established a bureau of immigration, labor and statistics, which shall be under the charge of a commissioner of immigration, labor and statistics, who shall be appointed by the governor, by and with the consent of the senate. * * * The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual and moral prosperity. The commissioner shall annually make a report in writing to the governor of the State, of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the bureau.

SECTION 8. The commissioner of immigration, labor and statistics shall perform such duties and receive such compensation as may be prescribed by law.

ARTICLE 13.—*Hours of labor—Public works.*

SECTION 2. Not more than eight hours' actual work shall constitute a lawful day's work on all State and municipal work.

ARTICLE 13.—*Convict labor.*

SECTION 3. All labor of convicts confined in the State's prison shall be done within the prison grounds, except where the work is done on public works under the direct control of the State.

ARTICLE 13.—*Employment of children in underground mines.*

SECTION 4. The employment of children under the age of fourteen years in underground mines is prohibited.

ARTICLE 13.—*Employment of aliens on public works.*

SECTION 5. No person not a citizen of the United States, or who has not declared his intention to become such, shall be employed upon or in connection with any State or municipal works.

ARTICLE 13.—*Mechanics' liens.*

SECTION 6. The legislature shall provide, by proper legislation, for giving to mechanics, laborers and material-men, an adequate lien on the subject matter of their labor.

ARTICLE 13.—*Boards of arbitration.*

SECTION 7. The legislature may establish boards of arbitration whose duty it shall be to hear and determine all differences and controversies between laborers and their employers, which may be submitted to them in writing by all the parties. Such boards of arbitration shall possess all the powers and authority, in respect to administering oaths, subpœnaing witnesses and compelling their attendance, preserving order during the sittings of the board, punishing for contempt, and requiring the production of papers and writings, and all other powers and privileges, in their nature applicable, conferred by law on justices of the peace.

ARTICLE 21.—*Territorial laws in force in State.*

SECTION 2. All laws now in force in the Territory of Idaho, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation or be altered or repealed by the legislature.

REVISED STATUTES OF 1887.

PART I.—POLITICAL CODE.

TITLE 10.—*Exemption from taxation.*

SECTION 1401. The following property is exempt from taxation:

* * * * * * *

Fourth. The property of resident widows and orphan children, not to exceed the amount of one thousand dollars to any one family, when their total assessment is less than five thousand dollars.

Fifth. Growing crops.

* * * * * * *

Eighth. Public and private libraries.

Ninth. Tools of mechanic, farmer, miner or prospector, and household furniture of a family or householder, not exceeding in value two hundred dollars.

* * * * * * *

PART II.—CIVIL CODE.

TITLE 7.—*Exemption from execution, etc.—Homesteads.*

SECTION 3035. The homestead consists of the dwelling house in which the claimant resides, and the land on which the same is situated, * * *.

SECTION 3036. If the claimant be married, the homestead may be selected from the community property, or the separate property of the husband, or with the consent of the wife from her separate property. When the claimant is not married, but is the head of a family, the homestead may be selected from any of his or her property.

SECTION 3038. The homestead is exempt from execution or forced sale, except as in this title provided.

SECTION 3039. The homestead is subject to execution or forced sale in satisfaction of judgments obtained:

(1) Before the declaration of homestead was filed for record, and which constitute liens upon the premises; or in an action in which an attachment was levied upon the premises before the filing of such declaration;

(2) On debts secured by mechanic's, laborer's, or vendor's liens upon the premises;

(3) On debts secured by mortgages upon the premises, executed and acknowledged by the husband and wife or by an unmarried claimant;

(4) On debts secured by mortgages upon the premises, executed and recorded before the declaration of homestead was filed for record.

SECTION 3054. If the sale is made, the proceeds thereof, to the amount of the homestead exemption, must be paid to the claimant, and the balance applied to the satisfaction of the execution.

SECTION 3055. The money paid to the claimant is entitled, for the period of six months thereafter, to the same protection against legal process and the voluntary disposition of the husband, which the law gives to the homestead.

SECTION 3058. Homesteads may be selected and claimed:

(1) Of not exceeding five thousand dollars in value by any head of a family;

(2) Of not exceeding one thousand dollars in value by any other person.

SECTION 3059. The phrase "head of a family," as used in this title, includes within its meaning:

First. The husband or wife when the claimant is a married person.

Second. Every person who has residing on the premises with him or her and under his or her care and maintenance either:

(1) His or her minor child, or the minor child of his or her deceased wife or husband;

(2) A minor brother or sister, or the minor child of a deceased brother or sister;

(3) A father, mother, grandfather or grandmother;

(4) The father, mother, grandfather or grandmother of a deceased husband or wife;

(5) An unmarried sister, or any other of the relatives mentioned in this section who have attained the age of majority, and are unable to take care of or support themselves.

PART III.—CODE OF CIVIL PROCEDURE.

PART 2, TITLE 9.—*Exemption from execution, etc.—Personal property.*

SECTION 4480. In addition to the homestead exempted by the civil code, the following property belonging to an actual resident of the Territory, is exempt from execution, except as herein otherwise specially provided:

1. Chairs, tables, desks and books, to the value of two hundred dollars, belonging to the judgment debtor;

2. Necessary household, table and kitchen furniture belonging to the judgment debtor, including one sewing machine in actual use in the family, or belonging to a woman, stoves, stovepipe and stove furniture, beds, bedding and bedsteads, not exceeding in value three hundred dollars; wearing apparel, hanging pictures, oil paintings and drawings, drawn or painted by any member of the family, and family portraits and their necessary frames, provisions actually provided for individual or family use sufficient for three months; two cows with their sucking calves, and two hogs with their sucking pigs;

3. The farming utensils or implements of husbandry of a farmer not exceeding in value the sum of three hundred dollars; also two oxen, or two horses, or two mules and their harness, one cart or wagon, and food for such oxen, horses or mules for one month; also a water right not to exceed one hundred and sixty inches of water, used for the irrigation of lands actually cultivated by him; also all seed, grain or vegetables actually provided, reserved on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars;

4. Tools or implements of a mechanic or artisan necessary to carry on his trade, not exceeding in value the sum of five hundred dollars; the notarial seal and records of a notary public; the instruments and chest of a surgeon, physician, surveyor and dentist, necessary to the exercise of their profession, with their scientific and professional libraries; the law professional libraries and office furniture of attorneys, counselors and judges, and the libraries of ministers of the gospel;

5. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also his sluices, pipes, hose, windlass, derrick, cars, pumps and tools not exceeding in value two hundred dollars; also one saddle animal and one pack animal, together with their saddles and equipments belonging to a miner actually engaged in prospecting, not exceeding in value two hundred and fifty dollars;

6. Two oxen, two horses or two mules, and their harness; and one cart, wagon, dray or truck by the use of which a cartman, drayman, huckster, truckman, peddler, hackman, teamster or other laborer habitually earns living; and one horse with vehicle and harness, or other equipments used by a physician, surgeon or minister of the gospel, in making his professional visits, with food for *such oxen, horses* or mules for one month;

7. The earnings of the judgment debtor for his personal services rendered at *any time within thirty* days next preceding the levy of execution, or levy of

attachment, when it appears by the debtor's affidavit or otherwise, that such earnings are necessary for the use of his family residing in this Territory supported wholly or in part by his labor;

8. The shares held by a member of a homestead association duly incorporated, not exceeding in value one thousand dollars—if the person holding the share is not the owner of a homestead under the laws of this Territory;

9. All moneys, benefits, privileges or immunities accruing, or in any manner growing out of any life insurance on the life of the debtor, to an amount represented by an annual premium not exceeding two hundred and fifty dollars;

12. * * * No article or species of property mentioned in this section is exempt from execution issued upon a judgment recovered for its price, or upon a mortgage thereon.

PART IV.—PENAL CODE.

PART 3, TITLE 1.—*Convict labor.*

SECTION 8500. The penitentiary building erected and conducted by the United States, in the county of Ada, is the Territorial prison of the Territory of Idaho, wherein must be confined for reformation and punishment, and employed at hard labor, all offenders convicted and sentenced according to law to imprisonment in the Territorial prison; and all persons convicted of crime against the laws of this Territory and sentenced to confinement in the Territorial prison must be sentenced to hard labor during the term of their confinement, and must perform such labor under such rules and regulations as may be prescribed by the governor of the Territory, the United States marshal and the Territorial treasurer; and they may make regulations for working prisoners outside of the prison walls between sunrise and sunset.

SECTION 8541. Persons confined in the county jail under a judgment of imprisonment rendered in a criminal action or proceeding, may be required by an order of the board of commissioners to perform labor on the public works or ways in the county.

ILLINOIS.

CONSTITUTION.

ARTICLE 4.—*Protection of miners.*

SECTION 29. It shall be the duty of the general assembly to pass such laws as may be necessary for the protection of operative miners, by providing for ventilation, when the same may be required, and the construction of escapement shafts, or such other appliances as may secure safety in all coal mines, and to provide for the enforcement of said laws by such penalties and punishments as may be deemed proper.

ARTICLE 4.—*Exemption from execution, etc.*

SECTION 32. The general assembly shall pass liberal homestead and exemption laws.

ANNOTATED STATUTES OF 1885.

CHAPTER 23.—*Industrial training in boys' training schools.*

PARAGRAPH 86. The officers and managers of any training school for boys in this State shall receive into such school all boys not idiotic and not afflicted with a contagious disease committed thereto under the provisions of this act, * * * and shall cause them to be taught or trained, in some trade or industrial pursuit; * * *.

PARAGRAPH 87. Any boy committed under the provisions of this act to a training school for boys, may, by the officers and managers of said school, * * * be bound to any reputable citizen as an apprentice to learn any trade, * * *.

CHAPTER 38.—*Boycotting and blacklisting.*

PARAGRAPH 73, (as amended by act of June 16, 1887, page 167). If any two or more persons conspire or agree together, or the officers or executive committee of any society or organization or corporation shall issue or utter any circular or edict as the action of or instruction to its members, or any other

persons, societies, organizations or corporations for the purpose of establishing a so-called boycott or black list, or shall post or distribute any written or printed notice in any place, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business or employment or property of another, * * * or to do any illegal act injurious to the public trade, health, morals, police, or administration of public justice, or to prevent competition in the letting of any contract by the State or the authorities of any counties, city, town or village, or to induce any person not to enter into such competition, * * * they shall be deemed guilty of a conspiracy; and every such offender, whether as individuals or as the officers of any society or organization, and every person convicted of conspiracy at common law, shall be imprisoned in the penitentiary not exceeding five years, or fined not exceeding $2,000, or both.

CHAPTER 38.—*Certain employments of children forbidden.*

PARAGRAPH 82. It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out, or otherwise dispose of, any such child to any person in or for the vocation or occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for, or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure, or encourage any such child to engage therein. Nothing in this section contained shall apply to, or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music.

PARAGRAPH 86. Any person convicted under the provisions of the preceding sections, shall for the first offense be fined not exceeding one hundred dollars or imprisoned in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense shall be fined in any sum not exceeding five hundred dollars, or imprisonment in the penitentiary for a term not exceeding two years, or both, in the discretion of the court.

CHAPTER 38.—*Intimidation, etc., of employers and employés.*

PARAGRAPH 206. If any two or more persons shall combine for the purpose of depriving the owner or possessor of property of its lawful use and management, or of preventing, by threats, suggestions of danger, or any unlawful means, any person from being employed by or obtaining employment from any such owner or possessor of property, on such terms as the parties concerned may agree upon, such persons so offending shall be fined not exceeding $500, or confined in the county jail not exceeding six months.

PARAGRAPH 207. If any person shall, by threat, intimidation or unlawful interference, seek to prevent any other person from working or from obtaining work at any lawful business, on any terms that he may see fit, such person so offending shall be fined not exceeding $200.

PARAGRAPH 208. Whoever enters a coal bank, mine, shaft, manufactory, building or premises of another, with intent to commit any injury thereto, or by means of threats, intimidation, or riotous or other unlawful doings, to cause any person employed therein to leave his employment, shall be fined not exceeding $500, or confined in the county jail not exceeding six months, or both.

CHAPTER 38.—*Sunday labor.*

PARAGRAPH 317. Whoever disturbs the peace and good order of society by labor (works of necessity and charity excepted), * * * shall be fined not exceeding $25. This section shall not be construed to prevent watermen and railroad companies from landing their passengers, or watermen from loading and unloading their cargoes, or ferrymen from carrying over the water travelers and persons moving their families, on the first day of the week, nor to prevent the due exercise of the rights of conscience by whomever thinks proper to keep any other day as a Sabbath.

CHAPTER 38.—*Trespass upon mines, factories, etc.*

PARAGRAPH 324. Whoever, without authority of law and not being the owner or agent of adjoining lands, enters the coal bank, mine, shaft, manufactory, or place where workmen are employed, of another, without the expressed or implied consent of the owner or manager thereof; after notice that such entry is forbidden, shall be fined not exceeding $200, or confined in the county jail not exceeding six months, in the discretion of the court.

CHAPTER 48.—*Hours of labor.*

PARAGRAPH 1. * * * eight hours of labor between the rising and the setting of the sun, in all mechanical trades, arts, and employments, and other cases of labor and service by the day, except in farm employments, shall constitute and be a legal day's work, where there is no special contract or agreement to the contrary.

PARAGRAPH 2. This act shall not apply to or in any way affect labor or service by the year, month or week; nor shall any person be prevented by anything herein contained from working as many hours over time or extra hours as he or she may agree, and shall not, in any sense be held to apply to farm labor.

CHAPTER 48.—*Sex no disqualification from employment.*

PARAGRAPH 4. No person shall be precluded or debarred from any occupation, profession or employment (except military) on account of sex: *Provided*, that this act shall not be construed to affect the eligibility of any person to an elective office.

PARAGRAPH 5. Nothing in this act shall be construed as requiring any female to work on streets or roads, or serve on juries.

CHAPTER 52.—*Exemption from execution, etc.—Homesteads.*

PARAGRAPH 1. Every householder having a family, shall be entitled to an estate of homestead, to the extent in value of $1,000, in the farm or lot of land and buildings thereon, owned or rightly possessed, by lease or otherwise, and occupied by him or her as a residence; and such homestead, and all right and title therein, shall be exempt from attachment, judgment, levy or execution, sale for the payment of his debts, or other purposes, * * *.

PARAGRAPH 2. Such exemption shall continue after the death of such householder, for the benefit of the husband or wife surviving, so long as he or she continues to occupy such homestead, and of the children until the youngest child becomes twenty-one years of age; and in case the husband or wife shall desert his or her family, the exemption shall continue in favor of the one occupying the premises as a resident.

PARAGRAPH 3. But no property shall, by virtue of this act, be exempt from sale for nonpayment of taxes or assessments, or for a debt or liability incurred for the purchase or improvement thereof.

PARAGRAPH 6. When a homestead is conveyed by the owner thereof, such conveyance shall not subject the premises to any lien or incumbrance to which it would not have been subject in the hands of such owner; and the proceeds thereof, to the extent of the amount of $1,000, shall be exempt from execution or other process, for one year after the receipt thereof, by the person entitled to the exemption, and if reinvested in a homestead the same shall be entitled to the same exemption as the original homestead.

CHAPTER 52.—*Exemption from execution, etc.—Personal property.*

PARAGRAPH 13. The following personal property, owned by the debtor, shall be exempt from execution, writ of attachment and distress for rent, viz: 1st, the necessary wearing apparel, and Bibles, school books, and family pictures of every person; and 2d, one hundred dollars' worth of other property to be selected by the debtor, and in addition when the debtor is the head of a family and resides with the same, three hundred dollars' worth of other property, to be selected by the debtor: *Provided*, that such selection and exemption shall

not be made by the debtor or allowed to him or her from any money salary or wages due him or her from any person or persons or corporation whatever.

PARAGRAPH 16. No personal property shall be exempted from levy of attachment or execution when the debt or judgment is for the wages of any laborer or servant: *Provided*, the court rendering judgment shall find that the demand so sued for is for wages due such person as laborer or servant; which finding shall be expressed in the record of said judgment and indorsed upon the execution when issued.

CHAPTER 62.—*Exemption from garnishment, etc.—Wages.*

PARAGRAPH 14. The wages and services of a defendant being the head of a family, and residing with the same, to an amount not exceeding fifty dollars, shall be exempt from garnishment. In case of the wages or services of such defendant in the hands of a garnishee, shall exceed fifty dollars, judgment shall be given only for the balance above that amount.

CHAPTER 68.—*Earnings of married women.*

PARAGRAPH 7. A married woman may receive, use and possess her own earnings, and sue for the same in her own name, free from the interference of her husband or his creditors.

CHAPTER 72.—*Wages preferred in assignments.*

PARAGRAPH 42. * * * *Provided, however*, that all claims for the wages of any laborer or servant, which have been earned within the term of three months next preceding the making of such assignment [for the benefit of creditors], and which have been filed within said term of three months after such assignment, and to which no exception has been made, or to which exceptions have been made, and the same have been adjudicated and settled by the court, shall, after the payment of the costs, commissions and expenses of assignment, be preferred, and first paid to the exclusion of all other demands and claims: *Provided, further*, that such claims for wages of any laborer or servant, shall recite upon their face that they are for such wages, and when exceptions are taken to such claims, the said court, in adjudicating and settling the same, shall find that the claim so adjudicated and settled is for wages of such laborer or servant.

CHAPTER 79a.—*Board of commissioners of labor.*

PARAGRAPH 1. It shall be the duty of the governor with the advice and consent of the Senate, to appoint a board of commissioners of labor, to consist of five members, who shall hold office for two years, three of whom shall be manual laborers, the remaining members of the commission shall be manufacturers or employers of labor in some productive industry, and they shall meet annually * * * at the State capital, * * *.

PARAGRAPH 2. The duties of such board shall be to collect, assort, systematize and present in biennial report to the general assembly statistical details relating to all departments of labor in the State, especially in its relation to the commercial, industrial, social, educational and sanitary conditions of the laboring classes, and to the permanent prosperity of the mechanical manufacturing and productive industry of the State.

CHAPTER 93.—*Coal mine regulations and inspection.*

PARAGRAPH 1, (as amended by act of June 4, 1889, page 202, acts of 1889). The owner, operator or superintendent of any coal mine shall make or cause to be made an accurate map or plan of such mine, which shall exhibit all the openings and excavations, the shafts, slopes or tunnels, the entries, rooms and break-throughs; and shall show the direction of the air currents therein, and accurately delineate the surface section lines of the coal lands controlled by the owner of said mine, and show the exact relation to and proximity of the workings of said mine to said surface line. Said map or plan shall also show the exact date of each survey made, and indicate the boundary line of the most advanced face of the workings at each such date; and in case more than one seam

of coal is opened or worked, a separate map or plan as aforesaid shall, if desired by the inspector, be made of the workings in each such seam. The said map or plan, or a true copy thereof, with a record of all the surveys of said boundary lines and underground workings, shall be delivered by said owner, operator or superintendent to the State inspector of mines, for the district in which said mine is located, to be filed in his office; and the original or a true copy of the same shall be retained for reference and inspection at the office of said coal mine. * * *

The maps or plans herein provided for shall be made during the month of July next succeeding the passage of this act, and thereafter in July of each and every year the owner, agent or operator of every coal mine shall cause surveys to be made of all alterations and extensions of the workings made during the year preceding, and shall have the record and results of said survey duly entered upon the map of the inspector and upon that kept at the mine. * * * When any coal mine is worked out and is about to be abandoned, the owner, operator or superintendent shall have the maps or plans thereof extended to include all the excavations made, showing the most advanced workings of every part of the mine, and the relation of such boundaries to given boundaries on the surface.

PARAGRAPH 2, (as amended by act of June 4, 1889, page 203, acts of 1889). Whenever the owner, operator or superintendent of any coal mine shall neglect or refuse, or, from any cause not satisfactory to the mine inspector, fail, for the period of three months, to furnish to the inspector the map or plan of such coal mine, or of the extensions thereto, as provided for in this act, the inspector is hereby authorized to make, or cause to be made, an accurate map or plan of such coal mine, at the expense of the owner thereof, and the cost thereof may be recovered, by law, from said owner, operator or agent, in the same manner as other debts, by suit in the name of the inspector and for his use.

PARAGRAPH 3, (as amended by act of June 4, 1889, page 204, acts of 1889). For all coal mines in this State, when more than six men are employed, whether worked by shaft, slope or drift, there shall be provided and maintained, in addition to the hoisting shaft or opening, a separate escapement shaft or opening to the surface or an underground communication between every such mine and some other contiguous mine, such as shall be approved by the mine inspector as coming within the requirements of this act, and such as shall constitute two distinct and available means of ingress and egress to all persons employed in such coal mines. Such escapement shaft or communication with a contiguous mine, as aforesaid, shall be constructed in connection with every vein or stratum of coal worked in such mine; and all passageways communicating with the escapement shafts or places of exit from main hauling ways to the escapement shaft shall be at least five feet wide and five feet high. Every escapement shaft shall be separated from the main shaft by such extent of natural strata as shall secure safety to the men employed in such mines; and before any escapement shaft be located, or the excavations for it be begun, the district inspector of mines shall be duly notified to appear and determine what shall be a suitable distance for the same; the distance from main shafts for such escapement shaft shall not be less than 300 feet, without the consent of the mine inspector, nor more than 300 feet without the consent of the operator. Such escapement shafts * * * shall be supplied with stairways, partitioned off from the main air way and having substantial handrails and platforms, and such stairways shall be at an angle not greater than forty-five degrees: *Provided*, That in mines more than one hundred feet in depth there shall be substituted for such stairways a suitable cage, suspended between guide rails and operated by such hoisting apparatus as shall, in the judgment of the inspector of mines, insure the safe and speedy removal of all persons within the mine in case of danger. No accumulation of ice shall be permitted in any escapement shaft, nor any obstructions to travel upon any stairways or ladders. The time which shall be allowed for completing such escapement shaft or making such communication with an adjacent mine, as is required by the terms of this act, shall be for mines already opened or in process of development when this act shall become a law, one year for sinking any shaft two hundred feet or less in depth, and one additional year, or *pro rata* portion thereof, for every additional two hundred feet or fraction thereof; but for mines which shall be opened after the passage of this act, the time allowed shall be two years for all shafts more than two hundred feet in depth, and one year for all shafts two hundred feet in depth or less; and the time shall be reckoned, in all cases, from the date on which coal is first hoisted from the original shaft for sale or use; and it shall be the duty of the inspectors of mines to see that all escapement shafts are begun in time to secure their completion within the time herein specified. In all cases where the work-

ing face of one mine has, by the agreement of adjacent owners, been driven into the workings of another mine, the respective owners of such mine, while operating the same, shall keep open a roadway at least five feet wide and five feet high, thereby forming a communication, as contemplated in this act, and in no case shall the workings of any mine be driven closer than ten feet to the line of land of any adjacent owner, without the written consent of such owner. And in all cases where the shaft of one mine has been used, or may be hereafter used, as an air or escapement shaft for another mine, neither owner or operator shall close or obstruct his shaft or workings so as to prevent the use of the same as an escapement or air shaft, without first giving one year's notice, in writing, to the other operator or owner, of his intention to abandon his mine; but the operator continuing the working of his mine shall be at the expense of keeping abandoned workings in repair.

PARAGRAPH 4, (as amended by act of June 4, 1889, page 205, acts of 1889). The owner, agent or operator of every coal mine, whether operated by shaft, slope or drift, shall provide and maintain for every such mine a good and sufficient amount of ventilation for such men and animals as may be employed therein, the amount of air in circulation to be in no case less than one hundred cubic feet for each man and six hundred cubic feet for each animal, per minute, measured at the foot of the downcast, and the same to be increased at the discretion of the inspector according to the character and extent of the workings or to the amount of powder used in blasting; and said volume of air shall be forced and circulated to the face of every working place throughout the mine, so that such mine shall be free from standing powder smoke and gases of every kind. All doors set on main entries for the purpose of conducting the ventilation, shall be so constructed and hung as to close of themselves when opened, and shall be made sufficiently tight to effectually obstruct the air currents. In all the larger mines a boy or trapper shall be kept in attendance upon such doors to see that they are kept securely closed, and the air currents properly controlled. Whenever the inspector shall find men working without sufficient air, or under ~~any unsafe conditions~~, he shall first give the operator a reasonable notice to rectify the same, and upon his refusal ~~so to do~~ may himself order them ~~out~~ until said portions of said mine shall be put in proper condition. All mines in which men are employed shall be examined every morning by a duly authorized agent of the proprietor, to determine whether there are any dangerous accumulations of gas, or lack of proper ventilation or obstructions to roadways, or any other dangerous conditions, and no person shall be allowed to enter the mine until such examiner shall have reported all the conditions safe for beginning work. Such examiner shall make a daily record of the condition of the mine in a book kept for that purpose, which shall be open at all times to the examination of the inspector. The currents of air in mines shall be so split as to give a separate current to at least every one hundred men at work, and inspectors shall have discretion to order a separate current for a smaller number of men if special conditions render it necessary. In case the galleries, roadways or entries of any mine are so dry as to become filled with dust, the operators of such mines shall be required to have such roadways regularly and thoroughly sprinkled: and it shall be the duty of the inspector to see that in all mines every practicable precaution shall be taken against accidents from the careless handling of powder within the mine, and in no case shall more powder be stored in the mine, at any one time, than in the discretion of the inspector is necessary for each day's use. It shall be unlawful for coal miners, in any mine, to charge a blasting hole with loose powder, or otherwise, than with a properly constructed cartridge; and in dry and dusty mines, it shall be unlawful to load cartridges in the mines except with a powder can constructed for the purpose. * * *

It shall be unlawful for any operator or agent of a coal mine to employ persons under ground whose duties may involve contact with inflammable gases, or the handling of explosives, who have not had experience in such duties, unless all such employés are placed under the immediate charge and instruction of such a number of competent men as to secure the safety of other persons employed in the same mine. The ventilation required by this section may be produced by any suitable appliances, but in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining up from said furnace: *Provided*, it shall not be lawful to use a furnace for ventilating purposes, or for any other purpose, that shall emit smoke into any compartment constructed in, or adjoining any hoisting shaft or slope, where the hoisting shaft or slope is the only means provided for the

ingress or egress of persons employed in said coal mines. It shall be unlawful where there is but one means of ingress and egress provided at a coal shaft or slope, to construct and use a ventilating furnace that shall emit smoke into a shaft, as an up-cast, where the shaft or slope used as a means of ingress and egress by persons employed in said coal mines is the only means provided for furnishing air to persons employed therein.

PARAGRAPH 5. The owner, agent or operator shall provide that bore holes shall be kept twenty feet in advance of the face of each and every working place, and if necessary, on both sides, when driving towards an abandoned mine or part of a mine suspected to contain inflammable gases, or to be inundated with water.

PARAGRAPH 6, (as amended by act of June 16, 1887, page 233, acts of 1887). The owner, agent or operator of every coal mine operated by shaft shall provide safe means of hoisting and lowering persons in a cage covered with boiler iron, so as to keep safe, so far as possible, persons descending into and ascending out of such shaft, and such cage shall be furnished with guides to conduct it on slides through such shaft, with a sufficient brake on every drum to prevent accident in case of the giving out or breaking of the machinery; and such cage shall be furnished with safety catches, intended and provided as far as possible to prevent the consequences of cable-breaking or the loosening or disconnecting of machinery. No person under the age of fourteen years, nor females of any age, shall be permitted to enter any mine to work therein; and before any boy shall be permitted to work in any mine, he shall be required to produce an affidavit from his parent or guardian, sworn and subscribed to before a justice of the peace or notary public, that said boy is fourteen years of age. Such affidavits of all the boys employed in any mine shall be produced upon the demand of the inspector. The owner, agent or operator of every coal mine operated by shaft and by steam power, shall place competent persons at the top and bottom of such shaft for the purpose of attending to the signals while men are being lowered into or hoisted out of the mine; they shall be at their post of duty at least thirty minutes before the hoisting of coal is commenced in the morning, and remain at least thirty minutes after the hoisting of coal has ceased at night. It shall also be their duty to see that the men do not carry any tools, timber or material with them on the cage, and that only the proper number of men are allowed upon the cage at one time. A sufficient light shall be furnished at the top and bottom of the shaft to insure as far as possible the safety of persons getting on or off the cage. The following code of signals between the top man, bottom man and engineer are prescribed for use at all mines operated by shaft and by steam power:

From the bottom to the top.—One bell shall signify to hoist coal or empty cage, and also to stop either when in motion.

Two bells shall signify to lower cage.

Three bells shall signify that men are coming up. When return signal is received from the engineer, men will get on the cage and ring one bell to start.

Four bells shall signify to hoist slowly, implying danger.

From the top to the bottom.—One bell shall signify all ready, get on the cage.

Two bells shall signify send away empty cage: *Provided*, that the manager of any mine may add to this code of signals in his discretion for the purpose of promoting their efficiency, or the safety of the men, but any code which may be established shall be conspicuously posted at the top and bottom of the shaft and in the engine room. Any person neglecting or refusing to perform the duties required to be performed by sections three, four, five, six, seven and eight of this act shall be deemed guilty of a misdemeanor and punished by fine in the discretion of the court trying the same, subject, however, to the limitations as provided by section ten of this act.

PARAGRAPH 7, (as amended by act of June 16, 1887, page 234, acts of 1887). No owner, agent or operator of any coal mine operated by shaft or slope shall place in charge of any engine whereby men are lowered into or hoisted from the mine, any other than competent, experienced and sober engineers and firemen, and they shall not be less than eighteen years of age. No person shall ride upon a loaded cage or car used for hoisting purposes in any shaft or slope, and in no case shall more than twelve persons ride on any cage or car at one time, nor shall any coal be hoisted out of any coal mine while persons are descending into such mine. The number of persons permitted to ascend out of or descend into any coal mine at one time shall be determined by the inspector; and they shall not be lowered or hoisted more rapidly than six hundred feet per minute. Whenever a cage load of persons shall come to the bottom to be hoisted out, who have finished their day's work or otherwise been prevented from working, an empty cage shall be

given them to ascend, except in mines having slopes or provided with stairways in escapement shafts.

PARAGRAPH 8, (as amended by act of June 4, 1889, page 207, acts of 1889). All boilers used in generating steam in and about coal mines shall be kept in good order, and the agent, owner or operator as aforesaid shall have said boilers examined and inspected by a competent boilermaker or other qualified person as often as once every six months, and oftener if the inspector shall deem it necessary; and the result of every such examination shall be certified in writing to the mine inspector. The top of each and every shaft, and the entrance to each and every intermediate working vein shall be securely fenced by gates properly protecting such shaft and the entrance thereto; and the entrance to every abandoned slope, air or other shaft shall be securely fenced off; and every steam boiler shall be provided with a proper steam gauge, water gauge and safety valve. All underground, self-acting or engine planes with single tracks on which coal cars are drawn and persons travel, shall be provided with some proper means of signaling between the stopping places and the ends of said planes, and sufficient places of refuge at the sides of such planes shall be provided at intervals of not more than ten yards, and all other single planes or gangways twenty yards, and they shall not be less than six feet wide and six feet in depth, and shall be whitewashed or otherwise distinguished from the surrounding walls.

The bottom of every shaft shall be supplied with a traveling way to enable men to pass from one side of the shaft to the other without passing under or over the cages. All sumps shall be securely planked over so as to prevent accidents to men.

PARAGRAPH 9. Whenever loss of life, or serious personal injury, shall occur by reason of any explosion, or of any accident whatsoever, in or about any coal mine, it shall be the duty of the person having charge of such coal mine to report the facts thereof, without delay, to the mine inspector of the district in which said coal mine is situated; and if any person is killed thereby, to notify the coroner of the county also, or, in his absence or inability to act, any justice of the peace of said county; and the said inspector shall, if he deem it necessary from the facts reported, immediately go to the scene of said accident, and make such suggestions and render such assistance as he may deem necessary for the safety of the men. And the inspector shall investigate and ascertain the cause of such explosion or accident, and make a report thereof, which he shall preserve with the other records of his office; and to enable him to make such investigations he shall have the power to compel the attendance of witnesses, and administer oaths or affirmations to them, and the cost of such investigations shall be paid by the county in which such accident has occurred, in the same manner as costs of coroners' inquests are now paid. And the failure of the person in charge of the coal mine in which any such accident may have occurred, to give notice to the inspector or coroner, as provided for in this section, shall subject such person to a fine of not less than twenty-five dollars ($25), nor more than one hundred dollars ($100), * * *.

PARAGRAPH 10. In all cases in which punishment is provided by fine under this act for a breach of any of its provisions, the fine for a first offense shall not be less than $50 and not more than $200, and for the second offense not less than $100 or more than $500, in the discretion of the court, except as specially provided for in section nine of this act.

PARAGRAPH 11, (as amended by act of June 30, 1885, page 219, acts of 1885). This State shall be divided into five inspection districts, * * *. The governor shall, upon the recommendation of a board of examiners, selected for that purpose, composed of two practical coal miners, two coal operators, and one mining engineer, to be appointed by the Bureau of Labor Statistics of this State, all of whom shall be sworn to a faithful discharge of their duties, appoint five properly qualified persons to fill the offices of inspectors of coal mines of this State (being one inspector for each district provided for in this act), whose commissions shall be for the term of two years, but they shall at all times be subject to removal from office for neglect of duty, or malfeasance in the discharge of duty, as hereinafter provided for; and the inspectors so appointed, shall have attained the age of thirty years, be citizens of this State, and have a knowledge of mining engineering sufficient to conduct the development of coal mines, and a practical knowledge of the methods of conducting mining for coal in the presence of explosive gases, and of the proper ventilation of coal mines. They shall have had a practical mining experience of ten years, and shall not be interested as owner, operator, stockholder, superintendent or mining engineer of any coal mine during their term of office, and shall be of good moral character and temperate habits, and shall

not be guilty of any act tending to the injury of miners or operators of mines during their term of office. They shall be provided by the State with the most approved modern instruments for carrying out the intentions of this act. The inspectors, before assuming the duties of their several offices, shall take an oath of office, as provided for by the constitution, and shall be required to enter into a bond to the State in the sum of five thousand dollars ($5,000), with sureties to be approved by the governor, conditioned upon the faithful performance of their duties in every particular, as required by this act; said bond, with the approval of the governor indorsed thereon, together with the oath of office, shall be deposited with the secretary of state. * * * *Provided*, that the county board of any county may appoint an assistant inspector for such county, who shall act under the direction of the district inspector in the performance of his duties, * * *.

PARAGRAPH 12, (as amended by act of June 30, 1885, page 220, acts of 1885). The inspectors provided for by this act shall devote their whole time and attention to the duties of their office, and make personal examination of every mine within their respective districts, and shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in such mines, and that the provisions and requirements of the mining laws of this State are faithfully observed and obeyed and the penalties of the same enforced. They shall also make annual reports to the bureau of labor statistics of their acts during the year in the discharge of their duties, with their recommendations as to legislation necessary on the subject of mining, and shall collect and tabulate upon blanks furnished by said bureau all desired statistics of the mines and miners within their districts, to accompany said annual report; they shall also furnish such information as they may have obtained on this subject, when called for, to the State geologist. Upon a petition signed by not less than three reputable coal operators, or ten coal miners, setting forth that any inspector of coal mines neglects his duties, or that he is incompetent, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, it may be lawful for the bureau of labor statistics of this State to issue a citation to the said inspector to appear, at no less than fifteen days' notice, on a day fixed, before them, when the said bureau shall proceed to inquire into and investigate the allegations of the petitioners; and if the said bureau find that the said inspector is neglectful of his duty, or that he is, by reason of causes that existed before his appointment, or that have arisen since his appointment, incompetent to perform the duties of said office, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, the said bureau shall declare the office of inspector of the said district vacant, and a properly qualified person shall be appointed to fill the office in compliance with the provisions of this act; and the cost of said investigation by the said bureau shall be borne by the removed inspector; but if the allegations of the petitioners are not sustained by the final decision of the said bureau, the costs shall be paid by the petitioners. The board of examiners provided for in section eleven of this act shall be appointed by the bureau of labor statistics, * * *.

PARAGRAPH 13. It shall be lawful for the inspector, provided for in this act, to enter, examine and inspect any and all coal mines and machinery belonging thereto, at all reasonable times, by day or by night, but so as not to obstruct or hinder the necessary workings of such coal mine, and the owner, agent or operator of every such coal mine is hereby required to furnish all necessary facilities for entering such examination and inspection, and if the said owner, agent or operator aforesaid shall refuse to permit such inspection or to furnish the necessary facilities for such entry, examination and inspection, the inspector shall file his affidavit setting forth such refusal, with the judge of the circuit court in said county in which said mine is situated, either in term time or vacation, or, in the absence of said judge, with the master in chancery in said county in which said mine is situated, and obtain an order on such owner, agent or operator so refusing as aforesaid, commanding him to permit and furnish such necessary facilities for the inspection of such coal mine, or to be adjudged to stand in contempt of court and punished accordingly, and if the said inspector shall, after examination of any coal mine and the works and machinery pertaining thereto, find the same to be worked contrary to the provisions of this act, or unsafe for the workmen therein employed, said inspector shall, through the State's attorney of his county, or any attorney, in case of his refusal to act, acting in the name and on behalf of the State, proceed against the owner, agent or operator of such coal mine by injunction without bond, after giving at least two days['] no-

tice to such owner, agent or operator; and said owner, agent or operator shall have the right to appear before the judge or master to whom the application is made, who shall hear the same on affidavits and such other testimony as may be offered in support as well as in opposition thereto, and if sufficient cause, appear[,] the court, or judge in vacation, by order shall prohibit the further working of any such coal mine in which persons may be unsafely employed contrary to the provisions of this act, until the same shall have been made safe and the requirements of this act shall have been complied with, and the court shall award such costs in the matter of the said injunction as may be just; but any such proceedings so commenced shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this act.

PARAGRAPH 14, (as amended by act of June 26, 1887, page 235, acts of 1887). For any injury to person or property occasioned by any wilful violations of this act or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case of loss of life by reason of such wilful violation or wilful failure, as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heirs or adopted children, or to any other person or persons who were before such loss of life dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or lives; not to exceed the sum of five thousand dollars.

PARAGRAPH 15. Any miner, workmen or other person who shall knowingly injure any water-gauge, barometer, air-course or brattice, or shall obstruct, throw open any air-ways, or carry any lighted lamps or matches into places that are worked by the light of safety lamps, or shall handle or disturb any part of the machinery of the hoisting engine, or open a door in the mine and not have the same closed again, whereby danger is produced either to the mine or those at work therein; or who shall enter into any part of the mine against caution; or who shall disobey any order given in pursuance of this act; or who shall do any wilful act whereby the lives and health of persons working in the mine, or the security of the mine or mines, or the machinery thereof, is endangered, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine or imprisonment, at the discretion of the court.

PARAGRAPH 16, (as amended by act of June 16, 1887, page 235, acts of 1887). The owner, agent or operator of every coal mine shall keep a supply of timber constantly on hand of sufficient length and dimensions to be used as props and cap-pieces, and shall deliver the same as required, with the miners' empty car, so that the workmen may at all times be able to properly secure said workings for their own safety.

PARAGRAPH 18. All mines hoisting coal by steam power from shaft or slope, having no other means of ingress or egress than that afforded to persons employed therein than by said shaft or slope, shall * * * have all engine and boiler houses roofed and sided with fire-proof materials, and they shall be situated not less than fifty feet from the mouth of the said shaft or slope; that the hoisting derricks erected over said hoisting shaft or near said slope, if inclosed, and all the coal chutes, buildings and constructions within a radius of fifty feet of the mouth of the said hoisting shaft or slope, shall be covered and sided with fire-proof materials, and the person in charge, the owners or operators thereof, shall provide a steam pump and have the same conveniently situated, and a sufficient supply of water and hose, always ready for use in any part of the building, chutes or constructions within a radius of fifty feet of said coal-hoisting shaft or slope; and if the person in charge of any such coal shaft or slope shall refuse or neglect to comply with the provisions of this act, then the inspector of coal mines for the county in which the said shafts or slopes are situated shall proceed, through the State's attorney of his county, or any attorney, in case of his refusal to act, acting in the name and on behalf of the State, against the owner, agent or operator of said shaft or slope, by information without bond, after giving at least two days' notice to such owner, agent or operator; and the said owner, agent or operator shall have the right to appear before the judge or master to whom the application is made, who shall hear the same on affidavits, and such other testimony as may be offered, in support as well as in opposition thereto; and if it be found that the owner, agent or operator of said shaft or slope has refused or neglected to comply with the provisions of this act, the court, or judge in vacation, by order, shall prohibit the further working of any such coal shaft or slope until the owner, agent or operator shall have complied with the terms of this act.

PARAGRAPH 19. All miners and employés engaged in mining coal shall use copper needles, in preparing blasts in coal, and not less than five (5) inches of

copper on the end of all iron bars used for tamping blasts of powder in coal, and the use of iron needles, and iron tamping bars, not tipped with five inches of copper, is hereby declared to be unlawful. Any failure on the part of a coal-miner, or an employé in any coal mine, to conform to the terms and requirements of this act shall subject such miner or employé to a fine of not less than $5, nor more than $25, with costs of prosecution, for each offense, * * * .

CHAPTER 108.—*Convict labor.*

PARAGRAPH 13. * * * [The commissioners] shall determine the number of hours per day during which * * * convicts shall be required to labor.

PARAGRAPH 19. The warden * * * shall use his best endeavors to defray all the expenses of the penitentiary by the labor of the convicts; he shall superintend the labor of the convicts when employed in manufacturing or other work on behalf of the State, and shall act under the direction of said commissioners in making contracts for the employment of the labor of the convicts, * * * and in purchasing such raw material as may be required for manufacture by convict labor, and in taking charge of the articles so manufactured, and selling and disposing of the same for the benefit of the State.

PARAGRAPH 25. It shall be the duty of said commissioners to advertise for sealed bids or proposals, for the hire of the labor of the convicts in * * * [the] penitentiary, in such numbers and for such periods as they may deem advisable, not exceeding eight years— * * * specifying the number of convicts to be employed; and at the expiration of * * * thirty days, said commissioners may * * * enter into contracts for working the convicts upon such branches of business as in their judgment will best subserve the interests of the State, and tend to promote the welfare of the convicts. All contracts for the labor of convicts shall be given to the highest bidder, if the price bid be a fair and reasonable compensation for such labor. * * *

PARAGRAPH 26. * * * all convicts whose labor is not contracted * * * shall be hired or otherwise employed by the commissioners and warden, in such manner as they shall think most conducive to the interests of the State. Such employment shall be regarded as temporary, to terminate at any public letting: *Provided*, the commissioners shall not be required to advertise or hire out the labor of such convicts as may be employed in labor for the State.

PARAGRAPH 45. No labor shall be performed by the convicts in the penitentiary of this State in any stone quarry or other place outside the walls of the penitentiary: *Provided*, this act shall not be so construed as to prohibit such labor being performed in quarrying stone for the use of the State by its authorized agent: *And provided further*, that this act shall not be construed to prohibit the employment of convicts outside the prison walls by the warden and commissioners, in labor incident to the business and management of the penitentiary: * * * .

CHAPTER 114.—*Safety couplers on passenger cars.*

PARAGRAPH 98. It shall be the duty of all railroad corporations operating any railroad in this State, to provide such of their passenger cars as are used in trains with some suitable automatic coupling, or other coupling which will secure personal safety, * * * and any company refusing or neglecting to provide such automatic coupling, or other couplings which will secure personal safety, for each passenger car so used in trains, shall be liable to a fine of not less than $25 nor more than $50.

CHAPTER 114.—*Strikes—Obstructing conduct of business, etc.*

PARAGRAPH 109. If any locomotive engineer in furtherance of any combination or agreement, shall wilfully and maliciously abandon his locomotive upon any railroad at any other point than the regular schedule destination of such locomotive, he shall be fined not less than $20, nor more than $100, and confined in the county jail, not less than twenty days, nor more than ninety days.

PARAGRAPH 110. If any person or persons shall wilfully and maliciously, by any act or by means of intimidation, impede or obstruct, except by due process of law, the regular operation and conduct of the business of any railroad company or other corporation, firm or individual in this State, or of the regular running of any locomotive engine freight or passenger train of any such company, or the labor and business of any such corporation, firm or individual, he or they

shall, on conviction thereof, be punished by a fine of not less than twenty dollars nor less [more] than two hundred dollars, and confined in the county jail not more [less] than twenty days nor more than ninety days.

PARAGRAPH 111. If two or more persons shall wilfully and maliciously combine or conspire together to obstruct or impede by any act, or by means of intimidation, the regular operation and conduct of the business of any railroad company or any other corporation, firm or individual in this State, or to impede hinder or obstruct, except by due process of law, the regular running of any locomotive engine freight or passenger train on any railroad, or the labor or business of any such corporation, firm, or individual, such person shall, on conviction thereof, be punished by fine not less than twenty dollars, nor more than two hundred dollars, and confined in the county jail not less than twenty days, nor more than ninety days.

PARAGRAPH 112. This act, shall not be construed to apply to cases of persons voluntarily quitting the employment of any railroad company or such other corporation, firm or individual, whether by concert of action or otherwise, e[x]cept as is provided in [par. 109] * * * .

CHAPTER 118.—*Convict labor.*

PARAGRAPH 18. The trustees of the State Reform School at Pontiac are hereby authorized and empowered to lease the labor of the inmates by contract with parties who shall carry on business and employ said boys within the inclosure of the institution, and at such employments as are suited to their age and capacity. All contracts made for leasing the labor of the inmates of the reform school, shall be approved by the governor before such contracts shall be valid and binding upon the parties. Said boys shall not be compelled to labor more than six hours each day, nor more than three hours without a recess of at least one hour. The officers of the institution shall have personal supervision of said boys while thus employed.

ACTS OF 1885.

Fire escapes on factories, etc.

(Page 201.)

SECTION 1. Within six months next after the passage of this act, all buildings in this State which are four or more stories in height, excepting such as are used for private residences exclusively, but including flats and apartment buildings, shall be provided with one or more metallic ladder or stair fire escapes attached to the outer walls thereof and extending from or suitably near the ground to the uppermost story thereof, and provided with platforms of such form and dimensions and in such proximity to one or more windows of each story above the first, as to render access to such ladder or stairs from each such story, easy and safe; the number, location, material and construction of such escapes to be subject to the approval of the board of supervisors in counties under township organization, and the board of county commissioners in counties not under township organization, except in villages, towns and cities organized under any general or special law of this State, such approval shall be had by the corporate authorities of such villages, towns and cities: *Provided, however*, that all buildings, more than two stories in height, used for manufacturing purposes * * * shall have at least one such fire escape for every fifty persons for which working * * * accommodations are provided above the second stories of said buildings; * * * .

SECTION 2. All buildings of the numbers of stories and used for the purposes set forth in section one of this act, which shall be hereafter erected within this State, shall, upon or before their completion, each be provided with fire escapes of the kind and number, and in the manner set forth in said section one of this act.

SECTION 3. After the expiration of six months next after the passage of this act, the boards of supervisors and commissioners, and in villages, towns and cities the corporate authorities thereof, as aforesaid, may, at any time, direct the sheriff of their respective counties to serve a written notice * * * upon the owner or owners, trustees, lessee, or occupant of any building within their county, not provided with fire escapes in accordance with the requirements of this act, commanding such owners, trustees, lessee or occupant, or either of them, to place or cause to be placed upon such building, such fire escape or escapes, within thirty days after the service of such notice. * * *

SECTION 4. Any such owner or owners, trustees, lessee, or occupant, or either of them, so served with notice as aforesaid, who shall not within thirty days after the service of such notice upon him or them, place or cause to be placed such fire escape or escapes upon such building as required by this act and the terms of such notice, shall be subject to a fine of not less than twenty-five or more than two hundred dollars, and to a further fine of fifty dollars for each additional week of neglect to comply with such notice.

ACTS OF 1887.

Weighing coal at mines.

(Page 235.)

SECTION 1. The owner, agent or operator of every coal mine in this State, at which the miners are paid by weight, shall provide at such mines suitable and accurate scales of standard manufacture for the weighing of all coal which shall be hoisted or delivered from such mines.

SECTION 2. All coal so delivered from such mines shall be carefully weighed upon the scales as above provided, and a correct record shall be kept of the weight of each miner's car, which record shall be kept open at all reasonable hours for the inspection of all miners or others pecuniarily interested in the product of such mine. The person designated and authorized to weigh the coal and keep such record shall * * * make and subscribe to an oath * * * that he will accurately weigh and carefully keep a true record of all coal delivered from such mine, * * * .

SECTION 3. It shall be lawful for the miners employed in any coal mine in this State to furnish a check weighman at their own expense, whose duty it shall be to balance the scales and see that the coal is properly weighed, and that a correct account of the same is kept, and for this purpose he shall have access at all times to the beam box of said scale, and be afforded facilities for the discharge of his duties while the weighing is being performed. The agent employed by the miners, as aforesaid, to act as check weighman, shall be an employé of the person or persons operating the mine, * * * .

SECTION 4. Any person, company or firm having or using any scale or scales for the purpose of weighing the output of coal at mines, so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act; or any weighman or check weighman who shall fraudulently weigh or record the weights of such coal, or connive at or consent to such fraudulent weighing and recording, shall be deemed guilty of a misdemeanor, and shall, upon conviction for each such offense, be punished by a fine of not less than two hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period not to exceed sixty (60) days, or by both such fine and imprisonment; * * *.

SECTION 5. Any person, owner or agent operating a coal mine in this State who shall fail to comply with the provisions of this act, or who shall obstruct or hinder the carrying out of its requirements, shall be fined for the first offense not less than fifty dollars; nor more than two hundred dollars; for the second offense not less than two hundred dollars nor more than five hundred dollars, and for a third offense not less than five hundred dollars, or to be imprisoned in the county jail not less than six months nor more than one year: *Provided*, that the provisions of this act shall apply only to coal mines whose product is shipped by rail or water.

Wages preferred in assignments, execution, etc.

(Page 308.)

SECTION 1. * * * when the property of any company, corporation, firm or person shall be seized upon by any process of any court of this State; or when their business shall be suspended by the action of creditors, or be put into the hands of a receiver or trustee, then in all such cases, the debts owing to laborers or servants, which have accrued by reason of their labor or employment to an amount not exceeding fifty dollars to each employé, for work or labor performed within six months next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts, and such laborers or employés shall be preferred creditors, and shall be first paid in full; and if there be not sufficient

to pay them in full, then the same shall be paid to them *pro rata*, after paying costs. Any such laborer or servant, desiring to enforce his or her claim for wages under this act, shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property, within ten days after the seizure thereof on any execution or writ of attachment, or within thirty days after the same may have been placed in the hands of any receiver or trustee; and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto (after first paying all costs occasioned by the seizure of such property) out of the proceeds of the sale of the property seized: * * *.

ACTS OF 1889.

Citizens, native or naturalized, preferred in employment on public works.

(Page 2.)

SECTION 1. It shall be unlawful for any board or commission, or any officer or other person acting for the State, or for any county, township, city, village, district, or other municipality in the State, or any contractor or sub-contractor, under any or either of said municipalities, to employ any person or persons, other than native-born or naturalized citizens or those who have in good faith declared their intentions to become citizens of the United States, when such employés are to be paid, in whole or in part, directly or indirectly, out of any funds raised by taxation.

SECTION 2. It shall be the duty of any person or persons employing labor or other services, to be paid for, in whole or in part, directly or indirectly, out of any funds raised by taxation, to file with the treasurer or disbursing officer of such funds a certificate showing to the best of his knowledge and belief that the persons so employed * * * are citizens of the United States, or have in good faith declared their intentions to become such citizens, or are of such age or sex that they cannot declare their intentions to become citizens, or cannot be formally declared to be citizens by an order of a court of record.

SECTION 5. Whenever any employer, contractor or sub-contractor, by written or oral information, or from any source has reason to believe that he has in his employ persons other than native or naturalized citizens, or those who have in good faith declared their intentions to become citizens, whose pay is to be drawn in whole or in part, directly or indirectly from such public funds, he shall at once investigate the matter, and if he shall find said information to have been correct, he shall discharge such employé or employés, and a failure to do so shall render him liable to the municipality * * * for any of such funds paid to such alien * * *.

SECTION 6. In all cases where an alien, after filing his declaration of intention to become a citizen of the United States, shall, for the space of three months after he could lawfully do so, fail to take out his final papers and complete his citizenship, such failure shall be *prima facie* evidence that his declaration of intentions was not made in good faith.

Examination, licensing, etc., of stationary engineers.

(Page 88.)

SECTION 1. The city council in cities, and the president and board of trustees in towns and villages, shall have power to adopt ordinances within their respective limits to provide for the examination, licensing and regulation of persons having charge of steam boilers under steam pressure, exhausting through an engine, to fix the amount, terms and manner of issuing and revoking licenses to such persons; to provide that it shall not be lawful for any person to exercise within the limits of the respective cities, towns and villages, which may adopt such ordinances, the business of operating steam boilers, under steam pressure, exhausting through an engine, without a license; and to provide that any person violating the provisions of such ordinances shall be liable to a penalty for each breach thereof.

SECTION 2. To require that all persons engaged in such occupation within the jurisdiction of such towns, cities and villages so adopting such ordinances, shall

submit to an examination by a competent board of examiners to be appointed by such councils and boards of trustees, touching their competency and qualifications in regard to such vocations, with power to such board of examiners to license such persons as may be found capable and trustworthy in that behalf.

Attorney's fee in suits for wages.

(Page 362.)

SECTION 1. Whenever a mechanic, artisan miner, laborer or servant or employé shall have cause to bring suit for his or her wages earned and due, and owing according to the terms of the employment, and he or she shall establish by the decision of the court or jury that the amount for which he or she has brought suit is justly due and owing and that a demand has been made, in writing, at least three days before suit is brought, for a sum not exceeding the amount so found due and owing, then it shall be the duty of the court before which the case shall be tried, to allow to the plaintiff, when the foregoing facts appear, a reasonable attorney fee in addition to the amount found due and owing for wages, and in justice court such attorney's fee shall not be less than $5, and in the county or circuit court, not less than $10, to be taxed as costs of suit.

INDIANA.

CONSTITUTION.

ARTICLE 1.—*Exemption from execution, etc.*

SECTION 67. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability * * * contracted. * * *

REVISED STATUTES OF 1881.

CHAPTER 1.—*Exemption from execution, etc.*

SECTION 703. An amount of property not exceeding in value six hundred dollars, owned by any resident householder, shall not be liable to sale on execution or any other final process from a court, for any debt growing out of or founded upon a contract, express or implied. * * *

SECTION 704. The property may be real or personal, or both, as the debtor may elect and designate at the time he claims the exemption.

SECTION 717. The exemption under this act shall not affect any laborer's or mechanic's lien, nor lien for the purchase money of the real property exempted, nor exempt any property from taxation or from sale for taxes.

CHAPTER 1.—*Exemption from garnishment, etc.—Wages.*

SECTION 959. The wages of all persons in the employ of any person or corporation shall be exempt from garnishment and proceedings supplemental to execution in the hands of such person or corporation, so long as such employé remains in such employment, not exceeding one month's wages at any one time.

SECTION 960. Any person or corporation in debt for wages * * * may at any time after being served with a garnishee summons, pay to any such employé the amount of wages exempted by the preceding section; and such payment shall discharge such garnishee defendant from liability for the amount so paid, as effectually as if paid before the issuing of such summons.

CHAPTER 4.—*Convict labor.*

SECTION 1866. All able-bodied male prisoners, sentenced to the county jail, while held for punishment, or the nonpayment of fines or costs, whether the judgment also embraces imprisonment or is for a fine and costs only, may be put at hard labor upon the public wharves, streets, alleys, or other thoroughfares in any city or town in the county where convicted, or upon any public road or highway therein, or upon any other work or improvement for the public good or benefit. * * *

CHAPTER 5.—*Sunday labor.*

SECTION 2000. Whoever, being over fourteen years of age, is found on the first day of the week, commonly called Sunday, * * * at common labor, or engaged in his usual avocation (works of charity and necessity only excepted), shall be fined in any sum not more than ten or less than one dollar; but nothing herein contained shall be construed to affect such as conscientiously observe the seventh day of the week as the Sabbath, * * * .

CHAPTER 5.—*Employment, hours of labor, etc., of children.*

SECTION 2125. Whoever, being the owner, agent, overseer, or foreman of any cotton or woolen factory in this State, employs or permits to be employed, in any cotton or woolen factory of which he is the owner, agent, overseer, or foreman, any person, male or female, under the age of eighteen years, for a longer period than ten hours in any day, shall be fined not more than one hundred dollars nor less than fifty dollars.

CHAPTER 5.—*Intimidation, etc., of employers and employés.*

SECTION 2126. Whoever, by threats, intimidation, or force, prevents or seeks to prevent any person from doing work for or furnishing materials to any person, firm, or corporation engaged in any lawful business, shall be fined not more than one hundred dollars nor less than twenty dollars, to which may be added imprisonment in the county jail not more than six months nor less than ten days.

SECTION 2127. Whoever unlawfully, by threats, intimidation, or force, prevents or attempts to prevent any railroad company, or any of the agents, servants, or employés thereof, from moving, running, and operating the locomotives, cars, and trains of such railroad company, or from transporting and carrying passengers or freight in its cars on the line of such railroad company; or, in like manner, prevents or attempts to prevent, any express company, common carrier, or persons engaged in transporting or carrying passengers or freight for hire, from so transporting or carrying either passengers or freight, shall be fined not more than one thousand dollars nor less than fifty dollars, to which may be added imprisonment in the State prison not more than twenty-one years nor less than two years; and such offender shall be disfranchised and rendered incapable of holding any office of trust or profit for any determinate period.

CHAPTER 5.—*Protection of employés as voters.*

SECTION 2193. Whoever, for the purpose of influencing a voter, * * * if an employer of laborers or an agent of such employer, threatens to withhold the wages of or to dismiss from service any laborer in his employment; or refuses to allow to any such employé time to attend at the place of election and vote,—shall be fined not more than one thousand dollars nor less than twenty dollars, imprisoned in the State prison not more than five years nor less than one year, and disfranchised and rendered incapable of holding any office of trust or profit for any determinate period.

CHAPTER 6.—*Wages preferred—In administration.*

SECTION 2378. Unless otherwise provided in this act, the debts and liabilities of a decedent shall, if his estate be solvent, be paid in the following order of classes:

First. The expenses of administration.

Second. The expenses of the funeral of the deceased.

Third. The expenses of his last sickness.

Fourth. Taxes accrued upon the real and personal estate of the deceased at his death, and taxes assessed upon the personal estate during the course of the administration.

Fifth. Debts secured by liens upon the personal and real estate of the decedent, created or suffered by him in his lifetime, and continuing in force. * * *

Sixth. A sum not exceeding fifty dollars, for wages due any employé for work and labor performed for the decedent within two months prior to his death.

* * * * * * *

CHAPTER 35.—*Corporations—Liability of stockholders for debts due employés.*

SECTION 3869. The stockholders and members of manufacturing and mining corporations shall only be liable for the amount of the stock subscribed by them respectively; * * * *Provided*, That such stockholders shall be individually liable for all debts, due and owing laborers, servants, apprentices, and employés for services rendered such corporation.

CHAPTER 37.—*Railroad corporations—Liability of stockholders for debts due employés.*

SECTION 3934. The stockholders shall be individually liable to laborers, their executors, administrators, and assigns for all labor done in the construction of said road that shall remain unpaid after the assets of the corporation shall have been exhausted.

CHAPTER 40.—*Steam-packet companies—Liability of stockholders for debts due employés.*

SECTION 4142. The stockholders of any such company shall be individually liable, jointly and severally, for all debts due and owing mariners, boatmen, laborers, and servants, for services rendered; and to other creditors of the company they shall be liable to an amount equal to the stock held by them respectively.

CHAPTER 41.—*Horse-railroad companies—Liability of stockholders for debts due employés.*

SECTION 4161. Stockholders in such company shall be individually responsible for such company's liabilities or debts hereafter created, in the same manner, and to same extent, and no greater, than stockholders in other railroad companies are individually liable under the general laws of this State.

CHAPTER 46.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 4246. No bid for the building or repairing any court-house, jail, poor asylum, bridge, fence, or other county building or work shall be received or entertained by the board of commissioners of any county in this State, unless such bid shall be accompanied by a good and sufficient bond, payable to the State of Indiana, signed by at least two resident freehold sureties; which bond shall guaranty the faithful performance and execution of the work so bid for, in case the same is awarded to said bidder, and that the contractor, so receiving said contract, shall promptly pay all debts incurred by him in the prosecution of such work, including labor, materials furnished, and for boarding the laborers thereon.

SECTION 4247. Any laborer and materialman, or person furnishing board to said contractor, as in the preceding section provided, and having a claim against such contractor therefor, shall have the right of action against such contractor and his bondsmen therefor: *Provided*, Such person shall have first demanded payment of the same from such contractor.

CHAPTER 71.—*Earnings of married women.*

SECTION 5130. A married woman may * * * perform any labor or service on her sole and separate account. The earnings * * * of any married woman accruing from her * * * services, or labor, other than labor for her husband or family, shall be her sole and separate property.

CHAPTER 75.—*Wages preferred—In assignments, execution, etc.*

SECTION 5206, (as amended by section 1605, supplement of 1889). Hereafter, when the property of any company, corporation, firm or person, engaged in any manufacturing, mechanical, agricultural or other business or employment, or in the construction of any work or building, shall be seized upon any mesne or final process of any court of this State, or where their business shall be suspended by the action of creditors or put into the hands of any assignee, receiver or trustee, then in all such cases the debts owing to laborers or employés,

which have accrued by reason of their labor or employment to an amount not exceeding fifty dollars to each employé, for work and labor performed within six months next preceding the seizure of such property, shall be considered and treated as preferred debts and such laborers or employés shall be preferred creditors and shall be first paid in full, and if there be not sufficient to pay them in full, then the same shall be paid to them *pro rata*, after paying costs.

CHAPTER 86.—*Coal mine regulations and inspection.*

SECTION 5458. The term "mine," as used in this act, includes every shaft, slope, or drift which is used, or has been used, in the mining and removing of coal from and below the surface of the ground.

SECTION 5460. At the request of the owner of any coal mine, the owner of the land, the miners working therein, or other person interested in the working of such mine, the mine inspector shall cause to be made an accurate map or plan of the workings of such mine, on a scale of not less than one inch to the one hundred feet, showing the area mined or excavated, and the location and connection of the lines of all adjoining lands with such excavation of the mine, and the name of the owners of such lands, so far as known, marked on each tract of land. Such map shall show the complete working of the mine; which map, when complete, shall be sworn to by the mine inspector to be a correct map of the working of such mine, and shall be kept on file in the office of the mine inspector, for inspection, at all times. The mine inspector shall be allowed a reasonable fee for making such survey, provided that he employs a surveyor to make the same, but he shall not be allowed anything for making the map of same. All expenses shall be paid by the party causing such survey and map to be made.

SECTION 5462. The original map or plan of any coal mine, or the copy filed with the inspector, or a certified copy, issued under the hand and seal of such inspector, shall be evidence in any court of justice in this State.

SECTION 5463. The term "owner," as used in this act, is hereby defined to mean the immediate proprietor, lessee, or occupier of any coal mine or any part thereof; and the term "agent" is hereby defined to mean any person, other than the owner thereof, having the care and management of any coal mine, or any part thereof: and in case the mine is owned or occupied by a corporation, then any of its officers shall be deemed its agent.

SECTION 5464. The owner or agent of every coal mine shall * * * provide and establish a circulation of sufficient amount of pure air to dilute and expel therefrom the noxious and poisonous gases, to such an extent that the entire mine shall be in a fit state, at all times, for the men to work therein, and be free from danger to their health and lives from said gases and impure air—said ventilation to be produced by any suitable appliance that will produce and insure a constant supply of pure air throughout the entire mine. But in no case shall a furnace be used at the bottom of the shaft in a mine for the purpose of producing a hot up-cast of air, where the hoisting apparatus and buildings are built directly over the top of the shaft. Every such mine shall have ventilation affording one hundred cubic feet per minute for each and overy person employed in such mine, which shall be circulated through the main-headings and cross-headings, to an extent that will dilute and render harmless the noxious gases generated therein.

SECTION 5465. When a place is likely to contain a dangerous accumulation of water or gases, the working, approaching such place, shall not exceed eight feet in width, and there shall be constantly kept, at a sufficient distance (not less than three yards in advance), one bore-hole near the centre of the working, and sufficient flank bore-holes on each side; and when two veins are worked in the same shaft, the upper shall be so protected that no danger will occur to the miners working in the lower vein.

SECTION 5466. No owner or agent of any coal mine shall place in charge of any engine used for conveying into or hoisting out of such mine, any but experienced, competent, and sober engineers. No engineer in charge of such engine shall allow any person, except such as may be deputed for that purpose by the owner or agent, to interfere with it or any part of the machinery; and no person shall interfere, or in any way intimidate the engineer in the discharge of his duties. In no case shall more than six men ride on any cage or car at one time; and no person shall ride upon a loaded cage or car when the same is being hoisted out of or being conveyed into the mine.

SECTION 5467. The owner or agent of every coal mine operated by shaft or slope, shall provide a sufficient cover, overhead, on all carriages or cages used for lowering and hoisting persons into and out of the mine, and, on the top of

every shaft, an approved safety-gate; also, an approved safety-spring on the top of every slope. An adequate brake shall be attached to every drum or machine used for lowering or raising persons into or out of all shafts or slopes; and also a proper indicator, in addition to any mark on the rope, which shall show to the person who works the machine the position of the cage or load in the shaft. And there shall be cut in the side of every hoisting-shaft, at the bottom thereof, a traveling-way sufficiently high and wide to enable persons to pass the shaft in going from one side to the other, without passing over or under the cage or other hoisting apparatus.

SECTION 5468. The owner or agent of every coal-mine shaft or slope, * * * shall keep the top of every such shaft or slope, and the entrance thereof, securely fenced off by vertical or flat gates, covering and protecting the mouth of such shaft or slope. The entrance of an abandoned shaft or slope shall be securely fenced off, so that no injury can arise therefrom. The owner or agent, or either of them, violating the provisions of this section shall be fined in any sum not exceeding $100 for each day or part of a day the same is violated.

SECTION 5469. Any miner, workman, or other person, who shall, knowingly, injure or interfere with any safety-lamp, air-course, or with any brattice, or obstruct or throw open doors, or disturb any part of the machinery, or ride upon a loaded car or wagon in any shaft or slope, or do any act whereby the lives or health of the persons, or the security of the mines and machinery are endangered, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding $10.

SECTION 5470. The mine inspector, miners employed and working in and about the mine, the owner of the land, or other persons interested in the royalty or rental of such mine, shall, at all proper times, have full right of access and examination of all scales, machinery, or apparatus used in or about said mine, including the bank-book in which the weight of coal is kept, to determine the amount of coal mined, for the purpose of attesting the accuracy thereof.

SECTION 5472, (as amended by section 1753, supplement of 1889). The rope used for hoisting and lowering in every coal mine shall be a wire rope, and shall be examined by some competent person every morning, before the men descend into the shaft. When gas is known to exist, there shall be a competent fire-boss, whose duty it shall be to examine each and every place in the mine, before the men are permitted to enter for work. Said fire-boss shall be at the bottom or mouth of the mine each day, to inform every man as to the state of his room or entry. Said work shall be carefully examined every morning, with safety-lamps, by a competent person, before any workmen are allowed to enter.

SECTION 5473. * * * The governor, with the advice and consent of the senate, shall appoint a mine inspector, who shall hold his office for two years and until his successor shall be appointed and qualified. Such inspector shall be a resident of the State of Indiana, and a practical miner in said State; and no person shall be eligible to hold the office of mine inspector who is or may be pecuniarily interested in any coal mine within this State, directly or indirectly. Said mine inspector, before entering upon the duties of his office, shall execute a bond, with sufficient surety, payable to the State of Indiana, in the sum of one thousand dollars, for the faithful discharge of the duties of his office; which bond shall be approved by and filed with the secretary of State. He shall take an oath of office, which shall be endorsed on the back of his bond.

SECTION 5475. It shall be the duty of the mine inspector appointed under this act to enter, examine, and inspect any and all coal mines, and the works and machinery belonging thereto, at any reasonable time, by day or by night, but so as not to hinder or obstruct the working of any coal mine more than is reasonably necessary, in the discharge of his duties; and the agent or owner of such coal mine is hereby required to furnish the necessary facilities for such entry, examination, and inspection. Should the owner or agent fail or refuse to permit such inspection or furnish such facilities, the owner or agent so failing shall be deemed to have committed a misdemeanor. And it is hereby made the duty of such inspector to charge such owner or agent with such violation, under oath, in any court having jurisdiction; and, upon conviction, the owner or agent, or either or both, shall be fined in any sum not exceeding one hundred dollars for each offense.

SECTION 5476. The inspector appointed under this act shall devote his entire time and attention to the duties of his office. He shall make personal inspection, at least twice each year, of all coal mines in this State, and shall see that every precaution is taken to insure the health and safety of the workmen therein employed, that the provisions and requirements of this act are faithfully car-

ried out, and that the penalties of the law are enforced against all who willfully disobey its requirements. He shall also collect and tabulate the following facts: The number and thickness of each vein or stratum of coal, and their respective depths below the surface, which are now worked or may be hereafter worked; the kind or quality of coal; how the same is mined, whether by shaft, slope, or drift; the number of mines in operation in each county; the owners thereof; the number of men employed in each mine; and the aggregate yearly production of tons from each mine; estimate the amount of capital employed at each mine; and give any other information relative to coal and mining that he may deem necessary; all of which facts, so tabulated, together with a statement of the condition of mines as to safety and ventilation, he shall freely set forth in an annual report to the governor, together with his recommendation as to such other legislation on the subject of mining as he may think proper.

SECTION 5477. No boy under fourteen years of age shall be employed to work in any of the mines of this State.

SECTION 5478. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding five hundred dollars for each offense.

SECTION 5479. Nothing in this act * * * shall apply to any coal mine when there is less than ten men used in and about such mine.

SECTION 5480, (as amended by section 1754, supplement of 1889). It shall be the duty of the mine-inspector, in addition to his other duties, to examine all scales used at any coal mine in this State for the purpose of weighing coal taken out of said mine; the same to be tested by sealed weights, to be furnished to said mine inspector by the auditor of the State, the cost of which is to be audited by the auditor of State, and paid out of any money in the State treasury not otherwise appropriated. And, on inspection, if found incorrect, he shall notify the owner or agent of any such mine that the same is incorrect, and, after such notice, it shall be unlawful for any person or agent to use or suffer the same to be used, until the same is so adjusted that the same will give the true and correct weight. Any person violating the provisions of this section shall, on conviction, be fined in any sum not less than ten nor more than one hundred dollars for each day or part of a day the same may be used.

[NOTE.—Sections 1764, 1766, and 1778 of Elliott's Supplement of 1889 are sections 2, 4, and 16 of an act approved March 11, 1889. This act has no enacting clause and does not therefore comply with section 1 article 4 of the constitution of the State. If this act is operative, sections 1764 and 1766 would supersede section 5480 of the Revised Statutes of 1881 as amended by section 1754 of Elliott's Supplement of 1889, and section 1778 would supersede section 5464 of the Revised Statutes of 1881. The above named sections of Elliott's Supplement of 1889 are given in full further along.]

CHAPTER 90.—*Bureau of statistics.*

SECTION 5718, (as amended by section 1852, Elliott's Supplement of 1889). It shall be the duty of the two houses of the General Assembly, in joint convention, to select, at its regular biennial session, some suitable person to act as chief, who shall have power to select such assistants as he may deem necessary; and said officer and assistants shall constitute the Indiana bureau of statistics, with office room to be furnished by the State. * * *

SECTION 5719. The duties of said bureau shall be to collect, systematize, tabulate, and present in annual reports, as hereinafter provided, statistical information and details relating to agriculture, manufacturing, mining, commerce, education, labor, social and sanitary condition, vital statistics, marriages, and deaths, and to the permanent prosperity of the productive industry of the people of the State.

SECTION 5720. It shall be the duty of the several city, incorporated town, county, and township assessors, trustees, officers of school boards, and boards of health, in their respective cities, towns, counties, and townships; the agents or superintendents of all manufacturing, mining, and mechanical establishments; the managers and superintendents of all corporations, manufacturing, mechanical, and transportation companies and associations; and county superintendents of schools,—to make reports and answer questions relating to the duties of said bureau, upon such blanks as may be furnished to them for such purposes by said bureau. And the chief of said department shall have power to administer oaths, and to examine witnesses under oath, on questions relating to production, manufacturing, mining, transportation, labor, wages, savings, and respecting such other matters as relate to the duties of said bureau.

SECTION 5722. Any person or persons authorized by the bureau to collect statistics, or to answer questions relating thereto, who shall neglect or refuse to make true returns, as provided for in this act, shall forfeit and pay a fine not exceeding two hundred dollars.

CHAPTER 96.—*Convict labor.*

SECTION 6138. The convicts may be hired in any number, not exceeding one hundred in any one contract, in such manner as the directors, in their judgment, may consider most conducive to the interests of the State. * * * In allotting convicts whose labor is thus contracted for, the warden shall do it in such manner as he shall consider will give the convict such knowledge of any mechanical art as will be most conducive to his interests after his discharge.

SECTION 6142. * * * All convicts shall, so far as may be consistent with their age, sex, and ability, be kept at hard labor, in such manner as the warden shall deem most advantageous to the State, not inconsistent with this act, and under such rules and regulations as the directors may, from time to time, prescribe.

SECTION 6149. The directors of the State prison situated in Clark County, Indiana, are hereby authorized to cause the convicts confined, or hereafter to be confined, in said prison, to be employed outside the walls of said prison, chopping wood and timber for the use of the prison, making brick, or at any other labor on the land owned by the State adjoining the prison, and in the cultivation of any fields or grounds that may be leased by the directors for the purpose of raising vegetable products for the use of said prison.

SECTION 6161. The directors of the Southern State prison are authorized, if they find it impossible to hire the labor of the convicts upon cash contracts, at reasonable prices, to let and hire the labor of said convicts, and to receive in payment therefor such manufactured articles as will meet with the most ready sale, and they shall dispose of such manufactured articles for the best prices that can be obtained, and the proceeds shall be paid, by them, into the State treasury, for the use of said prison.

ELLIOTT'S SUPPLEMENT OF 1889.

CHAPTER 7.—*Alien contract labor.*

SECTION 438. * * * It shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay transportation or in any way assist or encourage the importation or migration of any alien or aliens, any foreigner or foreigners, into the State of Indiana under contract or agreement, parol or special, express or implied, made previous to the importation or migration of such alien or aliens, foreigner or foreigners, to perform labor or service of any kind in this State.

SECTION 439. * * * All contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service, or having reference to the performance of labor or service, by any person in the State of Indiana previous to the migration or importation of the person or persons whose labor or service is contracted for, into the United States, shall be utterly void and of no effect.

SECTION 440. For every violation of any of the provisions of * * * this act, the person, partnership, company or corporation violating the same by knowingly assisting, encouraging or soliciting migration or importation of any alien or aliens, or of any foreigner or foreigners into the State of Indiana to perform labor or service of any kind under contract or agreement, express or implied, parol or special, with such alien or aliens, foreigner or foreigners, previous to becoming residents or citizens of the United States, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars nor more than five thousand dollars.

SECTION 441. Nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, either in a private or official capacity, from engaging under contract or otherwise, persons not residents or citizens of the United States, to act as private secretaries, servants or domestics for such foreigner temporarily residing in the United States, nor shall this act be so construed as to prevent any person or persons, partnership or corporation, from engaging, under contract or agreement,

skilled workmen in foreign countries to perform labor in the State of Indiana, in or upon any new industry not at present established in the State: *Provided*, That skilled labor for that purpose can not otherwise be obtained; nor shall the provisions of this act apply to professional actors, artists, lecturers or singers, nor to persons employed strictly as personal or domestic servants: *Provided*, That nothing in this act shall be construed as prohibiting any individual from assisting any member of his family, or relative, or personal friend to migrate from any foreign country to the State for the purpose of settlement here.

CHAPTER 11.—*Certain employments of children forbidden.*

SECTION 628. Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away, or otherwise dispose of such child, and any person who shall take, receive or employ such child for the vocation or occupation of rope or wire walking, or as an acrobat, gymnast, contortionist, or rider; and any person who, having the care, custody or control of any minor child shall sell, apprentice, give away, or otherwise dispose of such child, or who shall take, receive or employ such child for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, mayor, police judge or criminal court shall be fined not less than ten dollars, nor more than one hundred dollars, to which may be added imprisonment not exceeding thirty days.

SECTION 629. Any person having the care, custody or control, lawful or unlawful, of any minor child under the age of eighteen years, who shall apprentice, give away, let out, hire, or otherwise dispose of such minor to any person for the purpose of singing, playing on musical instruments, begging, or for any mendicant business whatever, in the streets, roads or other highways of the State, and whosoever shall take, receive, hire, employ, use or have in custody any such [minor] for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging upon the streets, roads or other highways of the State, or for any mendicant business whatever, shall be guilty of a misdemeanor, and upon conviction thereof in the manner provided in the first section of this act, shall be fined not less than five dollars nor more than one hundred dollars, to which may be added imprisonment not exceeding thirty days.

CHAPTER 11.—*Employment of children in underground mines.*

SECTION 631. Any person who shall take, receive, hire or employ any child under twelve years of age in any underground works, or mines, or like place whatsoever, shall be guilty of a misdemeanor, and upon conviction thereof in the manner provided in the first section of this act, shall be fined not less than five dollars, nor more than fifty dollars.

CHAPTER 11.—*Employment, hours of labor, etc., of children.*

SECTION 645. It shall be unlawful for any person, firm, company, corporation or association engaged in manufacturing iron, steel, nails, metals, machinery or tobacco to employ or keep at work any child under twelve years of age.

SECTION 646. It shall be unlawful for any person, firm, company, corporation or association engaged in manufacturing in this State, and permitted by law to employ child labor, to employ or keep at work any child under twelve years of age more than eight hours per day.

SECTION 647. Any foreman, clerk, officer, agent or other person who shall violate either of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars and not more than one hundred dollars.

CHAPTER 17.—*Forced contributions from railroad employés.*

SECTION 1092. It shall be unlawful for any railroad company or corporation operating railroads in Indiana to exact from its employés, without first obtaining *written consent* thereto in each and every instance, any portion of their wages

for the maintenance of any hospital, reading-room, library, gymnasium or restaurant.

SECTION 1093. Any paymaster, auditor or employé of any company so exacting from its employés such sums of money shall, upon conviction thereof in any circuit court having competent jurisdiction, be fined not less than one hundred dollars nor more than five hundred dollars, as the court may decree.

CHAPTER 28.—*Payment of wages.*

SECTION 1596. Every company, corporation or association now existing, or hereafter organized and doing business in this State, shall, in the absence of a written contract to the contrary, be required to make full settlement with, and full payment in money to, its employés, engaged in manual or mechanical labor, for such work and labor done or performed by said employés for such company, corporation or association at least once in every calendar month of the year.

SECTION 1597. If any company, corporation or association shall neglect to make such payment, such employé may demand the same of said company, corporation or association, or any agent of said company, corporation or association, upon whom summons might be issued in a suit for such wages, and if said company, corporation or association shall neglect to pay the same for thirty days thereafter, said company, corporation or association shall be liable to a penalty of one dollar for each succeeding day, to be collected by such employé in a suit (together with reasonable attorneys' fees in said suit) for said wages withheld: *Provided*, That said penalty in no instance exceed twice the amount due and withheld.

SECTION 1598. All debts due any person for manual or mechanical labor shall be a preferred claim in all cases against any individual, co-partnership, corporation or joint stock company where the property thereof shall pass into the hands of an assignee or receiver, and such assignee or receiver in the distribution and payment of the debts shall be required to first pay in full all debts due for manual or mechanical labor before paying any other, except the legitimate costs and expenses.

SECTION 1599. Every corporation, association, company, firm or person engaged, in this State, in mining coal, ore or other mineral, or quarrying stone, or in manufacturing iron, steel, lumber, staves, heading barrels, brick, tile, machinery, agricultural or mechanical implements, or any article of merchandise, shall pay each employé of such corporation, company, association, firm or person, if demanded, at least once in every two weeks, the amount due such employé for labor, and such payment shall be in lawful money of the United States, and any contract to the contrary shall be void.

SECTION 1600. Any person, copartnership, corporation or association, or any member, agent or employé thereof, who shall publish, issue or circulate any check, card or other paper, which is not commercial paper payable at a fixed time in any bank in this State, at its full face value, in lawful money of the United States, with eight per cent interest, or by bank check or currency issued by authority of the United States Government, to any employé of such person, copartnership, corporation or association, in payment for any work or labor done by such employé, or in payment for any labor contracted to be done by such employé, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not more than one hundred dollars.

SECTION 1601. It shall be unlawful for any corporation, company, association, firm or person described in section [1599] * * * or the officers and agents of such, to sell, directly or indirectly, to any employé of such corporation, association, firm or person, any merchandise or supplies at a higher price than such merchandise or supplies are sold by such corporation, company, association, firm or person to others for cash.

SECTION 1602. Every corporation, company, association, firm or person who shall fail for ten days after demand of payment has been made to pay employés for their labor * * * shall be liable to such employé for the full value of his labor, to which shall be added a penalty of one dollar for each succeeding day, not exceeding double the amount of wages due, and a reasonable attorney's fee, to be recovered in a civil action and collectible without relief.

SECTION 1603. Every corporation or person who knowingly and willfully violates any of the provisions of section [1601] * * * , shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five nor more than one hundred dollars.

SECTION 1604. [The above sections] shall not in any way affect the liens of laborers, as now secured to them by the laws of this State.

CHAPTER 28.—*Hours of labor.*

SECTION 1606. * * * Eight hours shall constitute a legal day's work for all classes of mechanics, workingmen and laborers, excepting those engaged in agricultural or domestic labor, but overwork for an extra compensation by agreement between employer and employé is hereby permitted.

SECTION 1607. [These sections] shall apply to all persons, firms, corporations, companies or associations employing labor in this State, and to all mechanics, workingmen and laborers now, or hereafter employed by this State or any municipal corporation herein, through its agents, or officers, or in the employ of persons contracting with the State, or any municipal corporations thereof for performance of labor on the public works of this State, or such corporation.

SECTION 1608. Any person, firm, company, corporation or association doing business in this State, or any officer or agent of this State or municipal corporation thereof, who shall violate or otherwise evade the provisions of [these sections], shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not greater than five hundred dollars, and if the person or persons violating the same be an officer or agent of this State, or of any municipal corporation thereof, he shall, in addition to such fine, be removed from his position.

SECTION 1609. Any party or parties, contracting with this State, or any municipal corporation thereof, who shall fail to comply with, or secretly evade, the provisions hereof, by exacting and receiving more hours of labor than is herein fixed, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not greater than five hundred dollars, and in addition thereto, in the option of the State or municipal corporation, forfeit such contract.

CHAPTER 28.—*Contracts waiving the payment of wages in money unlawful.*

SECTION 1610. It shall be unlawful for any owner, corporation, association, company, firm or person engaged in mining coal, ore or other minerals or quarrying stone, or in manufacturing iron, steel, lumber, staves, heading, barrels, brick, tile, machinery, agricultural or mechanical implements or any article of merchandise, to directly or indirectly procure any person or persons to execute a contract or agreement to waive his or their legal right to demand of or receive from such owner, corporation, association, company, firm or person, at least once every two weeks, payment of the amount due such person or persons for labor performed, in lawful money of the United States.

CHAPTER 28.—*Coercion of employé to buy at particular place unlawful.*

SECTION 1611. It shall be unlawful for any owner, corporation, association, company, firm or person engaged in this State in mining coal, ore, or other minerals, or quarrying stone, or in manufacturing iron, steel, lumber, staves, heading, barrels, brick, tile, machinery, agricultural or mechanical implements, or any article of merchandise to directly or indirectly procure any person or persons to execute any contract or agreement by the terms of which such person or persons agree to purchase any article of merchandise, food, groceries, or supplies of any particular person, corporation, association, firm or company, or at any particular place, shop or store in this State.

SECTION 1612. It shall be unlawful for any owner, manager, superintendent, operator, bank boss, agent or employer employed in any of the occupations (above) described * * * , to hold out any tokens or inducements, or make any threats or promises of reward, or in any other way by words or acts to coerce any of their employés to buy any article of merchandise, food, groceries, or supplies of any particular person, corporation, association, firm or company, or at any particular place, shop or store in this State.

SECTION 1613. It shall be unlawful for any owner, manager, superintendent, operator, bank boss, agent or employer to attempt by words or acts to coerce any of their employés to buy any article of merchandise, food, groceries or supplies of any particular person, corporation, association, firm or company, or at any particular place, shop or store in this State.

CHAPTER 28.—*Penalty for violation of sections 1610 to 1613, inclusive.*

SECTION 1614. Every owner, corporation, association, company, firm, person, manager, superintendent, bank boss, agent or employer, who shall violate any of the provisions of [these sections] * * * , shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than two hundred dollars.

CHAPTER 28—*Blacklisting.*

SECTION 1615. If any person, agent, company or corporation, after having discharged any employé from his or its service, shall prevent, or attempt to prevent, by word or writing of any kind, such discharged employé from obtaining employment with any other person, company or corporation, such person, agent or corporation shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars nor less than one hundred dollars, and such person, agent, company or corporation shall be liable in penal damages to such discharged person, to be recovered by civil action; but this section shall not be construed as prohibiting any person or agent of any company or corporation from informing in writing any other person, company or corporation, to whom such discharged person or employé has applied for employment, a truthful statement of the reasons for such discharge.

SECTION 1616. If any railway company, or any other company, or partnership or corporation in this State shall authorize or allow any of its or their agents to black-list any discharged employés, or attempt by word or writing, or any other means whatever to prevent such discharged employé, or any employé who may have voluntarily left said company's service, from obtaining employment with any other person or company, except as [above] provided * * *, such company or copartnership shall be liable in treble damages to such employé so prevented from obtaining employment, to be recovered by him by a civil action.

CHAPTER 28.—*Cause of discharge in writing to be furnished employés upon demand.*

SECTION 1617. It shall be the duty of any person, agent, company or corporation, after having discharged any employé from his or its service, upon demand by such discharged employé, to furnish him in writing a full, succinct and complete statement of the cause or causes of his discharge, and if such person, agent, company or corporation shall refuse so to do within a reasonable time after such demand, it shall ever after be unlawful for such person, agent, company or corporation to furnish any statement of the cause of such discharge to any person or corporation, or in any way to black-list or to prevent such discharged person from procuring employment elsewhere, subject to the penalties prescribed in * * * this act: *Provided*, That said written cause of discharge, when so made by such person, agent, company or corporation at the request of such discharged employé shall never be used as the cause for an action for slander or libel, either civil or criminal, against the person, agent, company or corporation so furnishing the same.

CHAPTER 34.—*Coal mine regulations and inspection.*

SECTION 1755. Whenever the mining of coal is paid for by weight, the persons employed in mining the same shall have the right of selecting and keeping in the weigh office, or at the place of weighing the coal, a check-weighman, who shall have the right to inspect the weighing of the coal so mined by such miners; the miners to select and pay their said check-weighman.

SECTION 1756. It shall not be lawful for any owner, agent, or operator to allow more than ten persons to work in any mine, shaft, slope or drift in every twenty-four hours after five thousand square yards have been excavated, until the second outlet shall have been made. The said outlet, or manway, shall be separated from the hoisting shaft by at least one hundred feet in width of natural strata, and shall be available at all times to all employés engaged in the mines, and that for every shaft used as a manway there shall be provided stairways at an angle of not more than sixty degrees, with landings at easy and convenient distances, and with guard rails attached to each set of stairs from the top to the bottom of the same. The gangways or traveling roads to said outlet shall be not less than four feet high and three feet wide, and shall be kept as free from water as average hauling roads in mines. All water coming from the surface or out of the strata in the shaft shall be conducted by rings or otherwise to be prevented from falling down the shaft so as to wet persons who are ascending or descending the stairway of the shaft. The mine inspector shall see that the provisions of this section are complied with.

SECTION 1757. Breaks through or airways shall be made in every room, at least every seventy-five feet, and all breaks through or airways, except those last made near the working faces of the mine, shall be closed up and made airtight by brattice, trap-doors or otherwise. The doors used in assisting or direct-

ing the ventilation of the mines shall be so hung and adjusted that they will close themselves, or be supplied with springs or pulleys, so that they can not be left standing open, nor shall any driver or other person, by prop or otherwise, cause the same to stand open. Air courses shall be driven properly adjoining all entries, and as nearly parallel thereto as may be, such air courses not to exceed such width as will render them safe, with a sufficient pillar of coal left between them to secure the roof from falling on account of weight of the superincumbent strata forming the roof over the coal seam.

SECTION 1758. The owner, agent or operator of any coal mine shall keep a sufficient supply of timber at the mine so that the workmen may, at all times, be able to properly secure the workings from caving in, and the agent, owner or operator shall deliver, when selected, all props, of proper lengths, and timbers to the rooms of the workmen when needed and required.

SECTION 1759. Before a mine, or any part of a mine, that adjoins other lands is abandoned, the owner or agent shall make a survey showing the farthest extremity of the entries or rooms worked in such mine toward the lines of adjoining lands, and also to have the mine properly staked on the surface and a map thereof made and filed, within thirty days thereafter, at the office of the county recorder in the county where such mine is located; said map shall have attached thereto the affidavit of the mining engineer making the map, and of the mine boss in charge of the underground workings of said mine. Such map shall be properly labeled and filed by the recorder, and be preserved as a part of the record of the land on which such mines are located, and the recorder shall receive for said filing, from said owner or agent, a fee of fifty cents.

SECTION 1760. Approved safety catches shall be attached to every cage used for the purpose of hoisting or lowering persons.

SECTION 1761. Miners' bosses shall visit their miners in their working places at least once every day where any number, not less than ten nor more than fifty miners are employed, and as often as once every two days when more than fifty miners are employed. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten nor more than five hundred dollars.

* * * * * * *

SECTION 1763. The owner, agent or operator of every coal mine in this State, at which the miners are paid by weight, shall provide suitable and accurate scales of standard manufacture for the weighing of coal which shall be delivered from such mine.

SECTION 1764. At every coal mine in this State, where coal is mined by weight, it shall be the duty of the weighman and the check-weighman to examine and balance said scales every morning, and in no case shall any coal be weighed until such scales are tested and found correct: *Provided*, That if the weighman and check-weighman shall disagree, work may continue until the mine inspector can be present, and any erroneous weights made during such time shall be rectified. When differences shall arise between check-weighman and weighman, or owners or agents of the mine, as to the correctness of the scales, the same shall be referred to the mine inspector, whose duty it shall be to regulate the same at once, and in the event of said scales proving to be correct then the party or parties applying for the testing thereof shall bear all costs, but if not correct then the owners or agent of said mine shall pay the costs and charges of making said examination.

* * * * * * *

SECTION 1766. Any owner or agent operating a coal mine in this State who shall fail to comply with the[se] provisions * * * or who shall obstruct or hinder the carrying out of any of its requirements, shall, upon conviction thereof, be fined not more than two hundred dollars, and in default of payment he shall be imprisoned three months in the county jail.

SECTION 1767. All screens used in the screening of block coal at the mines in this State, unless otherwise agreed upon in writing between the operator or operators of any mine and the miners employed in such mine that a different screen other than the screen provided for by this act, may be used, shall not be, when the diamond bar is used, more than one inch space between the bars, and when the flat bar is used not more than one and one-eighth of an inch between the bars. All screens used in screening of bituminous coal shall not, when the diamond bar is used, be more than one and one-fourth inches between the bars, and when the flat bar is used not more than one and one-half inches between the bars. * * * Such screens shall not be more than twelve feet long and without breaks and not more than five feet wide, with stays or fastenings crosswise underneath the bars not more than three feet apart to hold the bars in place.

SECTION 1768. Any owner, agent, [or] operator who shall violate the [above] provisions * * * shall, upon conviction thereof, be fined not more than five hundred dollars.

SECTION 1769. The owner, operator or agent of any coal mine in this State shall keep a sufficient supply of timber at the mine, and the owner, operator or agent shall deliver all props, caps and timbers (of proper length) to the rooms of the workmen when needed and required, so that the workmen may at all times be able to secure the workings from coming in.

SECTION 1770. When two veins of coal are being mined in one shaft, two reflecting lamps shall be kept lighted at all times when said mine is in operation, one on each side of the shaft, not more than nine feet from said shaft in the upper vein.

SECTION 1771. The owner, operator or agent shall cover the cages with one-fourth-inch boiler plate, so as to keep safe so far as possible persons descending into and ascending out of such shaft, and no person shall descend any shaft when coal is ascending on the other cage.

SECTION 1772. There shall be a formality of signals at all coal shafts in this State, with a signal bell in the bottom of each shaft. One bell shall signify to hoist coal or empty cage, and also to stop either when in motion. Two bells shall signify that men are coming up. When return signal is received from the engineer, men will get in the cage and ring one bell to hoist. Four bells shall signify to hoist slowly, implying danger. The engineer's signal for men to get on the cage shall be one bell.

SECTION 1773. A copy of [the above] section * * * shall be printed and conspicuously posted at the top and bottom of the shaft and in the engine room, by the owner, operator or agent of the mine.

SECTION 1774. The mining boss shall visit and examine every working place in the mine at least every alternate day while the miners of such place are, or should be, at work and shall examine and see that each and every working place is properly secured by props or timber, and that safety in all repects is assured, and that no person shall be permitted in an unsafe place, unless it be for the purpose of making it safe. He shall advise that a sufficient supply of props, caps and timber are always on hand at the miners' working places. He shall see also that all loose coal, slate and rock overhead wherein miners have to travel to and from their work, are carefully secured.

SECTION 1775. For any injury to persons or property occasioned by any violation of this act, or any willful failure to comply with any of its provisions, a right of action against the owner, operator or agent shall accrue to the party injured for the direct injury sustained thereby, and in case of loss of life by reason of such violation, a right of action shall accrue to the widow, children or adopted children, or to parents or parent, or to any other person or persons who were before such loss of life dependent for support on the person or persons so killed for like recovery for damages for the injury sustained by reason of such loss of life or lives.

SECTION 1776. Whenever loss of life shall occur by reason of any accident whatsoever in or about any coal mine, it shall be the duty of the person having charge of such coal mine to report the facts thereof without delay to the mine inspector, and the said mine inspector shall immediately go to the scene of said accident. He shall investigate and ascertain the cause of such loss of life, and have the power to compel the attendance of witnesses, and administer oaths or affirmations to them, and the cost of such investigation shall be paid by the county in which the loss of life may have occurred, in the same manner as costs of coroners' inquests are now paid. The inspector shall give testimony in any suit for damages for the violation of any provisions of this act.

SECTION 1777. The failure of the person in charge of any coal mine in which loss of life may have occurred to give notice to the mine inspector * * * shall subject such person to a fine not less than fifty dollars nor more than one hundred dollars * * * and in default of payment of such fine he shall be sentenced to not less than sixty days nor more than ninety days in the county jail.

SECTION 1778. The owner, operator or agent of every coal mine, whether shaft, slope or drift, shall provide and maintain hereafter for every such mine ample means of ventilation, affording not less than one hundred cubic feet per minute for each and every person employed in said mine, and as much more as the circumstances may require, which shall be circulated around the main entries and cross-entries and working places to an extent that will render harmless all noxious or dangerous gases generated there, and every place where fire damp is known to exist, or supposed to exist, shall be carefully examined by the

fire boss, immediately, before each shift, with a safety lamp, and in making said examination it shall be the duty of the fire boss, at each examination, to leave at the face of every place examined, evidence of his presence, and it shall be unlawful for any miners to enter any mine, or part of a mine, generating fire damp until it has been examined by the fire boss, as aforesaid, and reported by him to be safe.

SECTION 1779. The currents of air in mines shall be split, so as to give a separate current to at least every one hundred persons at work, and the mine inspector shall have discretion to order a separate current for a smaller number of men if special conditions render it necessary. Whenever the mine inspector shall find men working without sufficient air, or under any unsafe conditions, he shall give to [the] operator a reasonable notice to rectify the same, and upon his refusal to do so, may himself order the men out until said portions of said mines shall be put in proper condition.

SECTION 1780. Breaks-through, or air-ways, shall be made in every room at least every eighty feet, and all breaks-through, or air-ways, except those last made near the working places of the mine, shall be closed up and made air-tight. The doors used in assisting or directing the ventilation of a mine when coal is being hauled through, shall be opened and closed by persons designated to do the same, so that the driver or other person may not cause the doors to stand open.

SECTION 1781. In order to better secure the proper ventilation of every coal mine and promote the health and safety of the persons employed therein, the owner, operator or agent shall employ a competent mining boss who shall be an experienced coal miner, and shall keep a careful watch over the ventilating apparatus and the air-ways, and shall see that, as the miners advance their excavations all loose coal, slate and rock overhead are carefully secured against falling therein or on the traveling ways. He shall measure the air current at least once a week at the inlet and outlet, and at or near the face of the entries. He shall keep a record of such measurements which shall be entered in a book kept for that purpose, the said book to be opened for the inspection of the mine inspector. He shall, also, on or about the first day of each month, mail to the inspector a true copy of the air measurements given, stating also the number of persons employed in or about said mine, the mules and horses used and the number of days worked in each month * * * .

SECTION 1782. The provisions of this act shall apply to all coal mines in this State.

SECTION 1783. The neglect or refusal to perform the duties required to be performed by * * * this act, by the parties therein required to perform them, or the violation of any of the provisions or requirements hereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine not less than twenty-five dollars, and not exceeding two hundred dollars * * * .

CHAPTER 37.—*Bureau of statistics.*

SECTION 1854. In addition to the other duties now imposed by law on the chief of the Indiana bureau of statistics, he shall collect, compile and systematize statistics, with reference to the subject of labor in its social, educational, industrial and general condition, wages and treatment of all classes of our working people, to the end that the effects of the same upon the permanent prosperity and productive industry may be shown, and shall report to the legislature, in convenient form, the results of his investigation.

SECTION 1855. The duties of such bureau shall be to collect * * * , assort, systematize, print and present in biennial reports to the Legislature statistical details relating to all departments of labor in this State, including the penal institutions thereof, particularly concerning the hours of labor, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics and apprentices, wages earned, savings from the same, the culture, moral and mental, with age and sex of person employed, the number and character of accidents, the sanitary condition of institutions where labor is employed as well as the influence of the several kinds of labor, and the use of intoxicating liquors upon the health and mental condition of the laborers, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the average annual rental of the same, the average number of members in the families of married laborers and mechanics, the value of property owned by laborers or mechanics (if foreign born) upon their arrival in this coun-

try, and the length of time they have resided here, the subjects of co-operation, strikes or other labor difficulties, trades-unions and other labor-organizations and their effects upon labor and capital, with such other matter relating to the commercial, industrial and sanitary condition of the laboring classes and permanent prosperity of the respective industries of the State as such bureau may be able to gather, accompanied by such recommendations relating thereto as the bureau may deem proper.

SECTION 1856. The chief or duly authorized deputy shall have power to examine witnesses under oath, to compel the attendance of witnesses and the production of papers while acting in any part of this State, and witnesses may be summoned by said chief or authorized deputy thereof by its process, in the same manner administer oaths and take testimony in all matters relating to the duties herein required of said bureau.

SECTION 1857. Any county, municipal or township officer, corporation, firm, individual or association doing business within this State, who shall neglect or refuse for thirty days, to answer questions by circular or upon personal application, or who shall refuse to obey the summons and give testimony according to the provisions of this act, shall be liable to a penalty of one hundred dollars, to be collected by the order of the chief of said bureau of statistics in an action wherein the State of Indiana shall be plaintiff.

CHAPTER 38.—*Convict labor.*

SECTION 2032. Hereafter the exclusive right to manufacture any specific article, or to carry on a definite line of manufacturing within the prisons in this State, shall not be given as a part of the conditions of any contract for less than fifty men, and when any contract is in force in which the exclusive right to manufacture is a part of the conditions of such contract, if other contracts are made for additional numbers of men for the same line of work, the exclusive right in such new contracts for additional men shall not extend beyond the time of the expiration of the first said pending contracts.

IOWA.

McCLAIN'S ANNOTATED STATUTES OF 1880, EDITION OF 1884.

TITLE VI, CHAPTER 1.—*Exemption from taxation.*

SECTION 797, (as amended by chapter 97, acts of 1886). The following classes of property are not to be taxed, and they may be omitted from the assessments herein required:

* * * * * * *

4. Animals not hereafter specified, the wool shorn from sheep belonging to the person giving the list, his farm produce harvested within one year previous to the listing, private libraries not exceeding three hundred dollars in value, family pictures, kitchen furniture, beds and bedding requisite for each family, all wearing apparel in actual use, and all food provided for the family; but no person from whom a compensation for board or lodging is received or expected, is to be considered a member of a family within the intent of this clause;

* * * * * * *

6. The farming utensils of any person who makes his livelihood by farming, and the tools of any mechanic, not in either case to exceed three hundred dollars in value;

7. Government lands entered or located, or lands purchased from the State, shall not be taxed for the year in which the entry, location, or purchase is made;

8. The homestead not to exceed $500 in value, of the widow of any federal soldier or sailor who died during the late war while in service or who has since died of wounds received or disease contracted while in such service. *Provided* that the provisions of this act shall only apply to persons who do not own other real estate than such homestead.

TITLE IX, CHAPTER 2.—*Incorporation of trade-unions, etc.*

SECTION 1091, (as amended by chapter 71, acts of 1886). * * * ; temperance societies and trades union and other organizations of labor, for the regulation, by lawful means of prices of labor, of hours' work, and other matters pertaining to

industrial pursuits; * * *, may become incorporated in the manner directed in the preceding chapter, so far as applicable, and shall thereby become vested with all the powers and privileges, and subject to all the liabilities provided by that chapter, except as herein modified.

TITLE X, CHAPTER 5.—*Liability of railroad companies for injuries of employés.*

SECTION 1307.—Every corporation operating a railway shall be liable for all damages sustained by any person, including employés of such corporation, in consequence of the neglect of agents, or by any mismanagement of the engineers or other employés of the corporation, and in consequence of the wilful wrongs, whether of commission or omission of such agents, engineers, or other employés, when such wrongs are in any manner connected with the use and operation of any railway, on or about which they shall be employed, and no contract which restricts such liability shall be legal or binding.

TITLE XII, CHAPTER 3.—*Industrial education in agricultural college.*

SECTION 1621, (as amended by chapter 27, acts of 1884). There shall be adopted and taught at the State agricultural college a broad, liberal and practical course of study in which the leading branches of learning shall relate to agriculture and the mechanic arts, * * *.

Industrial expositions in schools.

[Page 519, chapter 64, acts of 1874, fifteenth general assembly.]

SECTION 1. It shall be the duty of the board of directors of independent school districts, and the sub-director of each sub-district, if they should deem it expedient, under the direction of the county superintendent, to introduce and maintain an industrial exposition in connection with each school under their control within this State.

SECTION 2. These expositions shall consist of useful articles made by the pupils, such as samples of * * * drawing, iron and woodwork of all kinds, from a plain box or horseshoe to a house or steam engine in miniature; also, all other useful articles known to the industrial world, or that may be invented by the pupils, * * *.

SECTION 6. These expositions [shall] be held in the schoolroom upon a school day as often as once a term, and not oftener than once a month.

TITLE XIII, CHAPTER 8.—*Exemption from execution, etc.—Homesteads.*

SECTION 1988. Where there is no special declaration of the statute to the contrary, the homestead of every family, whether owned by the husband or wife, is exempt from judicial sale.

SECTION 1989. A widow or widower, though without children, shall be deemed a family while continuing to occupy the house used as such at the time of the death of the husband or wife.

SECTION 1991. The homestead is liable for taxes accruing thereon, and, if platted as hereinafter directed, is liable only for such taxes and subject to mechanics' liens for work, labor, or material, done or furnished exclusively for the improvement of the same, and the whole or a sufficient portion thereof may be sold to pay the same.

SECTION 1992. The homestead may be sold on execution for debts contracted prior to the purchase thereof, but it shall not in such case be sold except to supply the deficiency remaining after exhausting the other property of the debtor liable to execution.

SECTION 1993. The homestead may be sold for debts created by written contract, executed by the persons having the power to convey and expressly stipulating that the homestead is liable therefor, but it shall not in such case be sold except to supply the deficiency remaining after exhausting the other property pledged for the payment of the debt in the same written contract.

TITLE XV, CHAPTER 2.—*Earnings of married women.*

SECTION 2211. A wife may receive the wages of her personal labor and maintain an action therefor in her own name, and hold the same in her own right; * * *

TITLE XVIII, CHAPTER 2.—*Judgment for wages not to be stayed.*

SECTION 3063. * * * nor shall such stay be allowed to any judgment obtained by a laboring man or mechanic for his wages.

TITLE XVIII, CHAPTER 2.—*Exemption from execution, etc.—Personal property.*

SECTION 3072, (as amended by chapter 49, acts of 1882.) If the debtor is a resident of this State and is the head of a family, he may hold exempt from execution the following property: All wearing apparel of himself and family kept for actual use and suitable to their condition and the trunks or other receptacles necessary to contain the same; one musket or rifle and shotgun; all private libraries, family bibles, portraits, pictures, musical instruments, and paintings, not kept for the purpose of sale; a seat or pew occupied by the debtor or his family in any house of public worship; an interest in a public or private burying ground, not exceeding one acre for any defendant; two cows and calf; one horse, unless a horse is exempt as hereinafter provided; fifty sheep and the wool therefrom and the materials manufactured from such wool; six stands of bees; five hogs, and all pigs under six months; the necessary food for all animals exempt from execution, for six months; all flax raised by the defendant on not exceeding one acre of ground and the manufactures therefrom; one bedstead and the necessary bedding for every two in the family; all cloth manufactured by the defendant, not exceeding one hundred yards in quantity; household and kitchen furniture, not exceeding two hundred dollars in value; all spinning wheels and looms, one sewing machine and other instruments of domestic labor kept for actual use; the necessary provisions and fuel for the use of the family for six months; the proper tools, instruments, or books of the debtor, if a farmer, mechanic, surveyor, clergyman, lawyer, physician, teacher, or professor; the horse, or the team, consisting of not more than two horses or mules, or two yoke of cattle, and the wagon or other vehicle, with the proper harness or tackle, by the use of which the debtor, if a physician, public officer, farmer, teamster, or other laborer habitually earns his living; and to the debtor, if a printer, there shall also be exempt a printing press and the types, furniture, and material necessary for the use of such printing press and a newspaper office connected therewith, not to exceed in all the value of twelve hundred dollars. Any person entitled to any of the exemptions mentioned in this section does not waive his rights thereto by failing to designate or select such exempt property or by failing to object to a levy thereon, unless failing or refusing so to do when required to make such designation or selection by the officers about to levy.

SECTION 3075. There shall be exempt to an unmarried person not the head of a family, and to non-residents, their own ordinary wearing apparel and trunk necessary to contain the same.

SECTION 3077. None of the exemptions prescribed in this chapter shall be allowed against an execution issued for the purchase money of property claimed to be exempt, and on which such execution is levied.

TITLE XVIII, CHAPTER 2.—*Exemption from execution, etc.—Wages.*

SECTION 3074. The earnings of such debtor for his personal services, or those of his family, at any time within ninety days next preceding the levy, are also exempt from execution and attachment.

TITLE XXIV, CHAPTER 12.—*Sunday labor.*

SECTION 4072. If any person be found on the first day of the week, commonly called Sabbath, engaged in * * * any labor, the work of necessity and charity only excepted, every person so offending shall, on conviction, be fined in a sum not more than five dollars nor less than one dollar; * * * but nothing herein contained shall be construed to extend to those who conscientiously observe the seventh day of the week as the Sabbath, * * *.

TITLE XXVI, CHAPTER 1.—*Convict labor.*

SECTION 4737. Such labor [of convicts] may be on the streets or public highways on or about public buildings or grounds, or at such other places in the county where confined, and during such reasonable time of the day as the per-

son having charge of the prisoners may direct, and not exceeding eight hours per day.

SECTION 4738, (as amended by chapter 153, acts of 1886). In case the sentence be for the violation of any of the statutes of the State, the sheriff of the county where the imprisonment is, shall superintend the performance of the labor herein contemplated, and shall furnish the tools and materials, if necessary, to work with, at the expense of the county in which the convict is confined, and such county shall be entitled to his earnings. Such labor shall be performed under the direction of the board of supervisors and in accordance with such regulations as said board shall make, * * * and such labor shall not be leased.

Convict labor.

(Page 1156, chapter 149, acts of 1880, eighteenth general assembly.)

SECTION 1. The warden, with consent of the executive council, is hereby authorized and required to make contracts for the labor of convicts at the penitentiary of the State at Fort Madison, for such time not exceeding ten years, * * * as to said council may seem to be for the best interest of the State.

Convict labor.

(Page 1157, chapter 43, acts of 1872, fourteenth general assembly.)

SECTION 1. There shall be and is hereby permanently established, at or near the stone quarries, near Anamosa, Iowa, an additional penitentiary, in which convicts sentenced for life or any term of time, shall be confined, employed, and governed, as hereinafter provided.

SECTION 14. Able-bodied male persons hereafter convicted of crime and sentenced to imprisonment in the penitentiary, may be taken to said quarries and additional penitentiary, and there confined and worked under the care of said warden, * * * .

ACTS OF 1882.

CHAPTER 62.—*Exemption from execution, etc.—Sewing machines.*

SECTION 1. If the debtor is a seamstress one sewing machine shall be exempt from execution and attachment.

ACTS OF 1884.

CHAPTER 21.—*Coal-mine regulations and inspection.*

SECTION 1, (as amended by chapter 140, acts of 1886). There shall be appointed by the governor with the advice and consent of the senate, three inspectors of mines who shall hold their offices for two years. The said inspectors subject however to be removed by the governor for neglect of duty or malfeasance in office. Said term of office shall commence on the first day of April of each even numbered year. Said inspectors shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines and of mining engineering; and said inspectors before entering upon the discharge of their duties shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be endorsed upon their commissions, and their commissions so endorsed shall be forthwith recorded in the office of the secretary of state, and such inspectors shall each give bonds in the sum of two thousand (2,000) dollars, with sureties to the approval of the governor, conditioned for the faithful discharge of their duties. The governor shall divide the State into inspection districts and shall assign the inspectors to duty in such place or districts as he shall deem proper.

SECTION 2, (as amended by chapter 140, acts of 1886). Said inspectors shall give their whole time and attention to the duties of their offices respectively and shall examine all the mines in this State as often as their duties will permit, to see that the provisions of this act are obeyed, and it shall be lawful for such inspectors to enter, inspect and examine any mine in this State, and the works and machinery belonging thereto, at all reasonable times by night or by day, but so as not to unnecessarily obstruct or impede the working of the mines, and

to make inquiry and examination into the state and condition of the mine as to ventilation and general security as required by the provisions of this act. The inspectors shall make a record of all examinations of mines inspected by them, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries or deaths in or about the mines; the number of mines visited, the number of persons employed in or about the mines, together with all such facts and information of public interest concerning the condition of mines as they may think useful and proper, or so much thereof as may be of public interest to be included in their biennial report. The owner and agents of all coal mines are hereby required to furnish the means necessary for such inspection, and it shall be the duty of the person having charge of any mine, whenever any loss of life shall occur by accident connected with the workings of such mine to give notice forthwith by mail or otherwise to the inspector of mines of his district and to the coroner of the county in which such mine is situated, and the coroner shall hold an inquest on the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof and shall return a copy of the verdict and all testimony to the said inspector. No person having a personal interest in or employed in the mine where a fatal accident occurs shall be qualified to serve on the jury empaneled on the inquest and the owner or agent of all coal mines shall report to the inspector all accidents to miners in and around the mines, giving cause of same, such report to be made in writing and within ten days from the time any accident occur.

SECTION 3, (as amended by chapter 140, acts of 1886). Said inspectors while in office shall not act as agents or managers or mining engineers, or be interested in operating any mine, and the inspector shall biennially, on or before the fifteenth day of August preceding the regular session of the general assembly make a report to the governor, of their proceedings and the condition and operation of the mines in this State, enumerating all accidents in or about the same, and giving all such information as they may think useful and proper, and making such suggestions as they may deem important as to future legislation on the subject of mining.

SECTION 4, (as amended by chapter 140, acts of 1886, and chap. 52, acts of 1888). The inspectors provided for in this act shall each receive a salary of twelve hundred dollars ($1,200) per annum, payable monthly, and shall be furnished with necessary stationery, and actual traveling expenses not to exceed five hundred dollars ($500) per annum; *Provided*, that each inspector shall file at the end of each quarter of his official year with the auditor of state a sworn statement of his actual traveling expenses incurred in the performance of his official duty for such quarter. The said salary and expenses to be paid by the State as the salaries and expenses of other State officers are provided for. They shall have and keep an office in the capitol at Des Moines, in which shall be kept all records, correspondence, papers, apparatus and property pertaining to their duties belonging to the State and which shall be handed over to their successors in office. And each of said mine inspectors shall during his term of office have and keep a residence in the district to which he is assigned without expense to the State. Also have and keep an office at a place designated by the governor accessible to railroad and telegraph in their respective districts where at all reasonable times and when not actually engaged elsewhere such inspectors shall be found.

SECTION 5, (as amended by chapter 140, acts of 1886). Any vacancy occurring in the office of inspector when the senate is not in session either by death or resignation, removal by the governor or otherwise, shall be filled by appointment by the governor, which appointment shall hold good until his successor is appointed and qualified.

SECTION 6, (as amended by chapter 140, acts of 1886). There shall be provided for such inspectors all instruments necessary for the discharge of their duties under this act, which shall be paid for by the State on the certificate of the inspectors, and shall be the property of the State.

SECTION 7. The agent or owner of every coal mine shall make or cause to be made, an accurate map or plan of the working of such mine on a scale of not less than one hundred feet to the inch, showing the area mined or excavated. Said map or plan shall be kept at the office of such mine. The owner or agent shall on or before the first day of September of each year, cause to be made a statement and plan of the progress of the workings of such mine up to said date,

which statement and plan shall be marked on the map or plan herein required to be made. In case of refusal on the part of said owner or agent for two months after the time designated to make the map or plan, or addition thereto, the inspector is authorized to cause an accurate map or plan of the whole of said mine to be made at the expense of the owner thereof, the cost of which shall be recoverable against the owner in the name of the person or persons making said map or plan. And the owner or agent of all coal mines hereafter wrought out and abandoned shall deliver a correct map of said mine to the inspector, to be filed in his office.

SECTION 8, (as amended by chapter 56, acts of 1888). It shall be unlawful for the owner or agent of any coal mine worked by a shaft, to employ or permit any person to work therein unless there are to every seam of coal worked in such mine, at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets distinct means of ingress and egress are always available to the persons employed in the mine, but in no case shall a furnace shaft be used as an escape shaft; and if the mine is a slope or drift opening, the escape shall be separated from the other openings by not less than fifty feet of natural strata; and shall be provided with safe and available traveling ways, and the traveling ways to the escapes in all coal mines shall be kept free from water and falls of roof; and all escape shafts shall be fitted with safe and convenient stairs at an angle of not more than sixty degrees descent, and with landings at easy and convenient distances, so as to furnish easy escape from such mine, and all air shafts used as escapes where fans are employed for ventilation, shall be provided with suitable appliances for hoisting the underground workmen; said appliances to be always kept at the mine ready for immediate use; and in no case shall any combustible material be allowed between any escape shaft and hoisting shaft, except such as is absolutely necessary for operation of the mine; *Provided*, that where a furnace shaft is large enough to admit of being divided into an escape shaft and a furnace shaft, there may be a partition placed in said shaft, properly constructed so as to exclude the heated air and smoke from the side of the shaft used as an escape shaft, such partition to be built of incombustible material for a distance of not less than fifteen feet up from the bottom thereof; *And provided*, that where two or more mines are connected underground, each owner may make joint provisions with the other owner for the use of the other's hoisting shaft or slope as an escape, and in that event the owners thereof shall be deemed to have complied with the requirements of this section; *And provided further*, that in any case where the escape shaft is now situated less than one hundred feet from the hoisting shaft there may be provided a properly constructed underground traveling way from the top of the escape shaft, so as to furnish the proper protection from fire, for a distance of one hundred feet from the hoisting shaft; and in that event the owner or agent of any such mine shall be deemed to have complied with the requirements of this section; *And provided further*, that this act shall not apply to mines operated by slopes or drift openings where not more than five persons are employed therein; *And provided further*, that any escapement shaft that is hereafter sunk and equipped before said escapement shaft shall be located or the excavation for it be begun the district inspector of mines shall be duly notified to appear and determine what shall be a suitable distance for the same. The distance from main shaft shall not be less than three hundred feet without the consent of the inspector and no buildings shall be put nearer the escape shaft than one hundred feet, except the house necessary to cover the fan.

SECTION 9, (as amended by chapter 46, acts of 1890). In all mines there shall be allowed one year to make outlets as provided in section 8, when such mine is under two hundred feet in depth, and two years when such mine is over two hundred feet in depth; but not more than twenty men shall be employed in such mine at any one time until the provisions of section 8 are complied with; [*Provided*, that in the case of mines over two hundred feet in depth, there shall be allowed three years on the condition that during the third year not more than ten men shall be employed in such mine at any one time; *And provided further*, that in cases where the two years shall already have expired, a third year shall be allowed after the taking effect of this act]; and after the expiration of the period above mentioned should said mines not have the outlets aforesaid, they shall not be operated until made to conform to the provisions of section 8; *And provided further*, that this act shall not apply to mines where the escape way is lost or destroyed by reason of the drawing of pillars preparatory to the abandonment of the mine; *Provided*, that not more than twenty persons shall be employed in said mine at any one time.

SECTION 10, (as amended by chapter 56, acts of 1888). The owner or agent of every coal mine, whether it be operated by shaft, slope, or drift, shall provide and maintain for every such mine an amount of ventilation of not less than one hundred cubic feet of air per minute for each person employed in such mine, and not less than five hundred cubic feet of air per minute for each mule or horse employed in the same, which shall be distributed and circulated throughout the mine in such manner as to dilute, render harmless, and expel the poisonous and noxious gases from each and every working place in the mine. And whenever the inspector shall find men working without sufficient air or under any unsafe conditions he shall first give the operator or his agent a reasonable notice to rectify the same and upon a refusal or neglect to do so the inspector may himself order them out until said portion of said mine shall be put in proper condition. And all mines governed by the provisions of this act shall be provided with artificial means for producing ventilation, such as exhaust or forcing fans, furnaces, or exhaust steam, or other contrivances of such capacity and power as to produce and maintain an abundant supply of air for all the requirements of the persons employed in the mine; but in case a furnace is used for ventilating purposes it shall be built in such manner as to prevent the communication of fire to any part of the works by lining the upcast with incombustible material for a sufficient distance up from said furnace to insure safety.

SECTION 11. The owner or agent of every coal mine operated by a shaft or slope, in all cases where the human voice can not be distinctly heard, shall forthwith provide and maintain a metal tube, or other suitable means for communication from the top to the bottom of said shaft or slope, suitably calculated for the free passage of sound therein, so that communication can be held between persons at the bottom and top of the shaft or slope. And there shall be provided a safety catch of approved pattern and a sufficient cover overhead on all carriages used for lowering and hoisting persons, and on the top of every shaft an approved safety gate, and also approved safety spring on the top of every slope, and an adequate brake shall be attached to every drum or machine used for raising or lowering persons in all shafts or slopes, and a trail shall be attached to every train used on a slope, all of said appliances to be subject to the approval of the inspector.

SECTION 12. No owner or agent of any coal mine operated by shaft or slope shall knowingly place in charge of any engine used for lowering into or hoisting out of such mine persons employed therein, any but experienced, competent and sober engineers, and no engineer in charge of such engine shall allow any person except such as may be deputed for that purpose by the owner or agent, to interfere with it, or any part of the machinery; and no person shall interfere or in any way intimidate the engineer in the discharge of his duties; and the maximum number of persons to ascend out of or descend into any coal mine on one cage shall be determined by the inspector, but in no case shall such number exceed ten, and no person shall ride upon or against any loaded cage or car in any shaft or slope except the conductor in charge of the train.

SECTION 13. No boy under twelve years of age shall be permitted to work in any mine; and parents or guardians of boys shall be required to furnish an affidavit as to the ages of their boys when there is any doubt in regard to their age and in all cases of minors applying for work the agent or owner of the mines shall see that the provisions of this section are not violated.

SECTION 14, (as amended by chapter 56, acts of 1888). In case any coal mine does not, in its appliances for the safety of the persons working therein, conform to the provisions of this act, or the owner or agent disregards the requirements of this act for twenty days after being notified by the inspector, any court of competent jurisdiction, while in session or the judges in vacation, may, on application of the inspector, by civil action in the name of the State, enjoin or restrain by writ of injunction, the said agent or owner from working or operating such mines with more persons at once than are necessary to make the improvements needed except as provided in sections eight and nine, until it is made to conform with the provisions of this act, and such remedies shall be cumulative, and shall not take the place of, or affect any other proceedings against such owner or agent authorized by law, for the matter complained of in such action; and for any willful failure or neglect to comply with the provisions of this law by any owner, lessee, or operator of any coal mine or opening whereby anyone is injured, a right of action shall accrue to the party so injured for any damage he may have sustained thereby; and in case of loss of life by reason of such willful neglect or failure aforesaid, a right of action shall accrue to the widow, if living, and if not living, to the children of the person whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

SECTION 15. Any miner, workman or other person who shall knowingly injure or interfere with any air course or brattice, or obstruct, or throw open doors, or disturb any part of the machinery, or disobey any order given in carrying out the provisions of this act, or ride upon a loaded car or wagon in a shaft or slope except as provided in section twelve, or do any act whereby the lives and health of the persons, or the security of the mines and machinery is endangered; or if any miner or person employed in any mine governed by the provisions of this act, shall neglect or refuse to securely prop or support the roof and entries under his control, or neglect or refuse to obey any order given by the superintendent in relation to the security of the mine in the part of the mine under his charge or control, every such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

SECTION 16, (as amended by chapter 43, acts of 1886). Whenever written charges of gross neglect of duty or malfeasance in office against any inspector shall be made and filed with the governor, signed and sworn to by five miners, or one or more operators of mines, together with a bond in the sum of five hundred dollars, payable to the State, and signed by two or more responsible freeholders, to be approved by the clerk of the courts of the county where the bond is made, and conditioned for the payment of all costs and expenses arising from the investigation of such charges, it shall be the duty of the governor to convene a board of examiners, to consist of two practical miners, one mining engineer and two operators, at such time and place as he may deem best, giving ten days' notice to the inspector against whom charges may be made, and also the person whose name appears first in the charges, and said board when so convened, and having first been duly sworn or affirmed truly to try and decide the charges made, shall summon any witness desired by either party and examine them on oath or affirmation, which may be administered by any member of the board, and depositions may be read on such examination as in other cases, and report the result of their investigations to the governor, and if their report shows that said inspector has grossly neglected his duties, or is incompetent, or has been guilty of malfeasance in office it shall be the duty of the governor forthwith to remove said inspector and appoint a successor, and said board shall award the costs and expenses of such investigation against the inspector or person signing said bond.

SECTION 18. The owner, agent or operator of any coal mine shall keep a sufficient supply of timber to be used as props, so that the workmen may at all times be able to properly secure the workings from caving in, and it shall be the duty of the owner, agent or operator to send down all such props when required.

SECTION 19. Any person willfully neglecting or refusing to comply with the provisions of this act when notified by the mine-inspector to comply with such provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months, except when different penalties are herein provided.

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SECTION 22, (added by chapter 52, acts of 1888). The executive council shall appoint a board of examiners composed of two practical miners—two mine-operators and one mining engineer who shall have at least five years' experience in his profession. The members of said board shall be of good moral character, and citizens of the United States and State of Iowa.

SECTION 23, (added by chapter 52, acts of 1888). Said board shall meet biennially on the first Monday in April of each even-numbered year * * * in the office of the State mine-inspector in the capitol, and they shall publish in at least one newspaper published in each mining district of the State the date fixed by them for the examination of candidates.

SECTION 24, (added by chapter 52, acts of 1888). Certificates of competency shall be granted only to citizens of the United States and State of Iowa of good moral character not less than twenty-five years of age, who shall have at least five years' experience in the mines and who shall not have been acting as agent or superintendent of any mine for at least six months prior to their appearance for examination.

SECTION 25, (added by chapter 52, acts of 1888). The examination of candidates for the office of mine-inspector shall consist of oral and written questions in theoretical and practical mining and mine-engineering, on the nature and properties of noxious and poisonous gases found in mines, and on the different systems of working and ventilating of coal mines. * * * The board of ex-

aminers shall give to all persons examined who in their judgment possess the requisite qualifications, certificates of such qualification, and from the persons holding such certificates the governor shall appoint the State mine-inspectors.

CHAPTER 124.—*Wages preferred—In assignments.*

SECTION 1. Upon making order for the distribution of the assets in the hands of the assignee, of an insolvent, * * * the court shall order to be paid in full, as a preferred claim, the earnings of any creditor for his personal services rendered to the assignor at any time within ninety days next preceding the execution of the assignment.

CHAPTER 132.—*Bureau of labor statistics.*

SECTION 1. There is hereby created a bureau of labor statistics, to be under the control and management of a commissioner thereof, to be appointed as hereinafter provided by this act.

SECTION 2. The governor shall, within thirty days after the taking effect of this act and biennially thereafter, with the advice and consent of the executive council, appoint a commissioner of labor statistics. The term of office of said commissioner to commence on the first day of April in each even-numbered year and continue for two years and until his successor is appointed and qualified; and said commissioner before entering upon the discharge of his duties shall take an oath or affirmation to discharge the same faithfully, and to the best of his ability; and shall give bond in the sum of two thousand dollars with sureties to the approval of the governor, conditioned for the faithful discharge of his official duties.

SECTION 3. Said commissioner * * * shall have and keep an office in the capitol at Des Moines in which shall be kept all records, documents, papers, correspondence and property pertaining to his office, and shall deliver them to his successor in office.

SECTION 4. Said commissioner may be removed from his office by the governor for neglect of duty or malfeasance in office; and any vacancy occurring at any time may be filled by the governor by and with the consent of the executive council.

SECTION 5. The duties of said commissioner shall be to collect, assort, systematize and present in biennial reports to the governor on or before the 15th day of August preceding each regular meeting of the General Assembly, statistical details relating to all departments of labor in the State, especially in its relations to the commercial, social, educational and sanitary conditions of the laboring classes, and to the permanent prosperity of the mechanical, manufacturing and productive industries of the State, and shall as fully as practicable collect such information and reliable reports from each county in the State the amount and condition of the mechanical and manufacturing interests, the value and location of the various manufacturing and coal productions of the State, also sites offering natural or acquired advantages for the profitable location and operation of different branches of industry; he shall by correspondence with interested parties in other parts of the United States impart to them such information as may tend to induce the location of mechanical and producing plants within the State, together with such other information as shall tend to increase the production, and consequent employment of producers; and in said biennial report he shall give a statement of the business of the bureau since the last regular report, and shall compile and publish therein such information as may be considered of value to the industrial interests of the State, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics and apprentices, wages earned, the savings from the same, with age and sex of laborers employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, the restrictions if any which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the average annual rental and the value of property owned by laborers and mechanics; and he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts and what systems have been found most practical with details thereof. * * *

SECTION 6. The commissioner shall have power to issue subpœnas for witnesses and examine them under oath and enforce their attendance to the same extent and in the same manner as a justice of the peace; said witnesses to be paid the same fees as are now allowed witnesses before a justice of the peace, and the same to be paid by the State.

ACTS OF 1886.

CHAPTER 20.—*Tribunals of voluntary arbitration.*

SECTION 1. That the district court of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of a petition, or the agreement hereinafter named, it shall be the duty of said court, or a judge thereof in vacation, to issue in the form hereinafter named, a license or authority for the establishment within and for each county of tribunals for voluntary arbitration and settlement of disputes between employers and employed in the manufacturing, mechanical, or mining industries.

SECTION 2. The said petition or agreement shall be substantially in the form hereinafter given and the petition shall be signed by at least twenty persons employed as workmen, and by four or more separate firms, individuals, or corporations within the county, or by at least four employers, each of whom shall employ at least five workmen, or by the representative of a firm, corporation or individual employing not less than twenty men in their trade or industry; *Provided*, that at the time the petition is presented, the judge before whom said petition is presented, may, upon motion require testimony to be taken as to the representative character of said petitioners, and if it appears that said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of said tribunal may be denied, or may make such other order in this behalf as to him shall seem fair to both sides.

SECTION 3. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of employers and workmen, the judge shall forthwith cause to be issued a license substantially in the form hereinafter given, authorizing the existence of such tribunal and fixing the time and place of the first meeting thereof, and an entry of the license so granted shall be made upon the journal of the district court of the county in which the petition originated.

SECTION 4. Said tribunal shall continue in existence for one year from date of the license creating it, and may take jurisdiction of any dispute between employers and workmen in any mechanical, manufacturing, or mining industry, or business, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit their disputes in writing to such tribunal for decision. Vacancies occurring in the membership of the tribunal shall be filled by the judge or court that licensed said tribunal, from three names, presented by the members of the tribunal remaining in that class, in which the vacancies occur. The removal of any member to an adjoining county, shall not cause a vacancy in either the tribunal or post of umpire. Disputes occurring in one county may be referred to a tribunal already existing in an adjoining county. The place of umpire in any of said tribunals and vacancies occurring in such place, shall only be filled by mutual choice of the whole of the representatives of both employers and workmen constituting the tribunal, immediately upon the organization of the same, the umpire shall be called upon to act after disagreement is manifested in the tribunal by failure during three meetings held and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same.

SECTION 5. The said tribunal shall consist of not less than two employers or their representatives and two workmen or their representatives. The exact number which shall in each case constitute the tribunal, shall be inserted in the petition or agreement, and they shall be named in the license issued. The said tribunal, when convened shall be organized by the selection of one of their members as chairman and one as secretary, who shall be chosen by a majority of the members, or if such majority can not be had after two votes then by secret ballot, or by lot, as they prefer.

SECTION 6. The members of the tribunal shall receive no compensation for their services from the city or county, but the expenses of the tribunal, other than fuel, light and the use of the room and furniture, may be paid by voluntary subscription, which the tribunal is authorized to receive and expend for such purposes. * * *

SECTION 7. When no umpire is acting, the chairman of the tribunal shall have power to administer oaths to all witnesses who may be produced, and a majority of said tribunal may provide for the examination and investigation of books, documents and accounts pertaining to the matters in hearing before the tri-

bunal, and belonging to either party to the dispute: *Provided*, that the tribunal may unanimously direct that instead of producing books, papers and accounts before the tribunal, an accountant agreed upon by the entire tribunal may be appointed to examine such books, papers and accounts, and such accountant shall be sworn to well and truly examine such books, documents and accounts, as may be presented to him and to report the results of such examination in writing to said tribunal. Before such examination, the information desired and required by the tribunal shall be plainly stated in writing, and presented to said accountant, which statements shall be signed by the members of said tribunal, or by a majority of each class thereof. Attorneys at law or other agents of either party to the dispute, shall not be permitted to appear or take part in any of the proceedings of the tribunal, or before the umpire.

SECTION 8. When the umpire is acting he shall preside and he shall have all the power of the chairman of the tribunal, and his determination upon all questions of evidence, or other questions in conducting the inquiries there pending, shall be final. Committees of the tribunal consisting of an equal number of each class may be constituted to examine into any question in dispute between employers and workmen which may have been referred to said committee by the tribunal, and such committee may hear, and settle the same finally, when it can be done by a unanimous vote; otherwise the same shall be reported to the full tribunal, and be there heard as if the question had not been referred. The said tribunal in connection with the said umpire shall have power to make or ordain and enforce rules for the government of the body when in session to enable the business to be proceeded with, in order, and to fix its sessions and adjournments, but such rules shall not conflict with this statute, nor with any of the provisions of the constitution and laws of Iowa.

SECTION 9. Before the umpire shall proceed to act, the question or questions in dispute shall be plainly defined in writing and signed by the members of the tribunal, or a majority thereof of each class, or by the parties submitting the same, and such writing shall contain the submission of the decision thereof to the umpire by name, and shall provide that his decision thereon, after hearing shall be final. The umpire shall be sworn to impartially decide all questions that may be submitted to him during his term of office. The submission and his award may be made in the form hereinafter given, and said umpire must make his award within ten days from the time the question or questions in dispute are submitted to him. Said award shall be made to the tribunal; and if the award is for a specific sum of money, said award may be made a matter of record by filing a copy thereof in the district court of the county wherein the tribunal is in session. When so entered of record it shall be final and conclusive, and the proper court may, on motion of anyone interested enter judgment thereon: and when the award is for a specific sum of money may issue final and other process to enforce the same.

SECTION 13. The umpire shall make his award in writing to the tribunal, stating distinctly his decisions on the subject-matter submitted, and when the award is for a specific sum of money, the umpire shall forward a copy of the same to the clerk of the proper court.

ACTS OF 1888.

CHAPTER 53.—*Weighing coal at mines.*

SECTION 1. The owner or agent of each coal mine within this State, at which the miners are paid by weight shall provide at such mine suitable scales of standard make for the weighing of all coal mined.

SECTION 2. The owner or agent of such mine shall require the person authorized to weigh the coal delivered from said mine to be sworn before some person having authority to administer an oath, to keep the scales correctly balanced, to accurately weigh, and to record a correct account of the amount weighed of each miner's car of coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing. The record of the coal mined by each miner shall be kept separate and shall be open to his inspection at all reasonable hours and also for the inspection of all others pecuniarily interested in such mine.

SECTION 3. In all coal mines in this State the miners employed and working therein may furnish a competent check-weighman, who shall at all proper times have full right of access and examination of such scales, machinery or apparatus, and seeing all measures and weights of coal mined and accounts

kept of the same, provided that not more than one person on behalf of the miners collectively shall have such right of access, examination and inspection of scales, measures and accounts at the same time and that such person shall not make no unnecessary interference with the use of such scales, machinery or apparatus. The agent of the miners, as aforesaid shall, before entering upon his duties, make and subscribe to an oath before some officer duly authorized to administer oaths, that he is duly qualified and will faithfully discharge the duties of check-weighman. Such oath shall be kept conspicuously posted at the place of weighing.

SECTION 4. Any person, company or firm having or using any scale or scales for the purpose of weighing the output of coal at mines so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act; or any weighman or check-weighman who shall fraudulently weigh or record the weights of such coal, or connive at or consent to such fraudulent weighing, shall be deemed guilty of a misdemeanor and shall, upon conviction for each such offense be punished by a fine of not less than two hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period not to exceed sixty days or by both such fine and imprisonment; * * *.

SECTION 5. Any person, owner or agent, operating a coal mine in this State who shall fail to comply with the provisions of this act, or who shall obstruct or hinder the carrying out of its requirements, shall be fined for the first offense not less than fifty dollars nor more than two hundred dollars; for the second offense not less than two hundred dollars nor more than five hundred dollars; and for a third offense not less than five hundred dollars; *Provided*, that the provisions of this act shall apply only to coal mines whose product is shipped by rail or water.

CHAPTER 54.—*Weighing coal at mines.*

SECTION 1. All coal mined in this State under contract for payment by the ton or other quantity shall be weighed before being screened unless otherwise agreed upon in writing, and the full weight thereof shall be credited to the miner of such coal; and eighty pounds of coal as mined shall constitute a bushel, and two thousand pounds of coal as mined shall constitute a ton; *Provided*, that nothing in this act shall be so construed as to compel payment for sulphur rock slate black jack or other impurities including slack and dirt which may be loaded with and amongst such coal.

SECTION 2. Each State mine inspector shall procure from the State superintendent of weights and measures at the expense of the State, a full and complete set of standards, balances and other means of adjustment such as are necessary in the comparison and adjustment of the scales, beams and other apparatus used in weighing coal at the mines to the State standards of weight; and it shall be the duty of said inspectors to examine, test and adjust as often as occasion demands all scales, beams and other apparatus used in weighing coal at the mines.

SECTION 3. Any person damaged by reason of coal mined not having been weighed and credited to him in accordance with the provisions of this act may recover his damages in a civil action against the employer, but such action must be begun within two years after the right thereto accrued; but his right to recover in such action shall not be barred by reason of his having knowledge of the violation of this act at the time.

CHAPTER 55.—*Mine employés—Payment of wages and coercion to buy at particular place.*

SECTION 1. It shall be unlawful for any person, firm, company or corporation, owning or operating coal mines in the State of Iowa, to sell, give, deliver or in any manner issue, directly or indirectly, to any person employed by him or it, in payment for wages due for labor, or as advances on the wages of labor not due, any scrip, check, draft, order or evidence of indebtedness, payable or redeemable otherwise than in their face value in money; any such person, firm, company or corporation who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding three hundred dollars nor less than twenty-five dollars, and the amount of any scrip, token, check, draft, order or other evidence of indebtedness, sold, given, delivered or in any manner issued in violation of the provisions of this act, shall recover in money at the suit of any holder

thereof, against the person, firm, company or corporation, selling, giving, delivering, or in any manner issuing the same: provided that this act shall not apply to any person, firm, company or corporation employing less than ten persons.

SECTION 2. Whoever compels, or in any manner seeks to compel or coerce an employé of any person, firm, company or corporation, to purchase goods or supplies from any particular person, firm, company or corporation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars or imprisonment in the county jail, not exceeding sixty days or both at the discretion of the court.

SECTION 3. The county attorney of any organized county, upon complaint being made to him of the violation of any of the provisions of this act within his county, shall cause such complaint to be investigated before the grand jury of the county where such wrong has been complained of, at its next session following the time such complaint is made.

CHAPTER 57.—*Blacklisting.*

SECTION 1. If any person, agent, company or corporation, after having discharged any employé from his or its service shall prevent or attempt to prevent by word or writing of any kind such discharged employé from obtaining employment with any other person, company or corporation, except by furnishing in writing on request a truthful statement as to the cause of his discharge, such person, agent or corporation, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars nor less than one hundred dollars, and such person, agent, company or corporation shall be liable in penal damages to such discharged person to be recovered by civil action; but this section shall not be construed as prohibiting any person or agent of any company or corporation from informing in writing any other person, company or corporation setting forth a truthful statement of the reasons for such discharge.

SECTION 2. If any railway company, any other company or partnership or corporation in this State shall authorize or allow any of its or their agents to blacklist any discharged employés or attempt by word or writing or any other means whatever to prevent such discharged employé or any employé who may have voluntarily left said company's service from obtaining employment with any other person or company except as provided for in section 1 hereof, such company or co-partnership shall be liable in treble damages to such employé so prevented from obtaining employment, to be recovered by him in a civil action.

ACTS OF 1890.

CHAPTER 18.—*Safety couplers and power brakes on locomotives and cars.*

SECTION 1. It shall be unlawful for any corporation, company or person operating any line of railroad in this State, any car manufacturers or transportation company using or leasing cars, to put in use in this State any new cars or any cars that have been sent in to the shop or shops for general repairs, or whose draft rigging has to be repaired with a new draw bar or bars, that are not equipped with safety or automatic couplers to draw bars, such as will not necessitate the going between the ends of the cars to couple or uncouple them, but operated from the side of the car.

SECTION 2. After January 1st, 1895, it shall be unlawful for any corporation, company or persons operating a railroad, or any transportation company using or leasing cars of any description and used in the commerce of the country, or in the construction of railroads, to have upon any railroad in Iowa for use in the transportation of freight or passengers any car that is not equipped with such safety automatic coupler as provided for in section one of this act.

SECTION 3. It shall be unlawful for any corporation, company or person operating any line of railroad in this State, to use any locomotive engine upon any railroad or in any railroad yard in this State after the first day of January, 1892, that is not equipped with a proper and efficient power brake, commonly called a "driver brake."

SECTION 4. It shall be unlawful for any corporation, company or person operating a line of railroad in this State, to run any train of cars after the first day of January, 1893, that shall not have in that train a sufficient number of cars with some kind of efficient automatic or power brakes, so that the engineer upon the locomotive car can control the train without requiring brakemen to

go between the ends or on the top of the cars to use, as now, the common hand brake.

SECTION 5. Every railroad corporation, company or person operating a railroad in this State, and every person or persons using or leasing cars in the transportation business, or in building railroads, shall, and are by this act required to include in their annual report to the State railroad commissioners the number of locomotive engines and cars used in this State and what number is equipped with automatic power brakes and what number of cars equipped with automatic safety couplers and the kind of brakes and couplers used and the number of each kind, when more than one kind is used.

SECTION 6. Any corporation, company or person operating a railroad in this State, and using a locomotive engine, or running a train of cars or using any freight, way or other car contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than five hundred dollars or not more than one thousand dollars, for the benefit of the school fund, for each and every offense, provided the penalties on this section shall not apply to companies in hauling cars belonging to railroads other than those of this State which are engaged in interstate traffic and any railroad employé who may be injured by the running of such engine, or train or car contrary to the provisions of this law, shall not be considered as waiving his right to recover damage by continuing in the employ of such corporation, company or person running such engine or trains or cars contrary to this law.

CHAPTER 45.—*Labor Day.*

SECTION 1. Section 2094 of the code of Iowa [creating public holidays] is hereby amended by inserting therein * * * the following: "The first Monday in September, to be known as 'Labor Day.'"

CHAPTER 48.—*Wages preferred in payments by receivers, etc.*

SECTION 1. Hereafter, when the property of any company, corporation, firm or person shall be seized upon by any process of any court of this State, or when their business shall be suspended by the action of creditors or be put into the hands of a receiver or trustee, then in all such cases, the debts owing to laborers or servants, which have accrued by reason of their labor or employment to an amount not exceeding one hundred dollars to each employé for work or labor performed within ninety days next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts and such laborers or employés shall be preferred creditors, and shall first be paid in full; and if there be not sufficient to pay them in full, then the same shall be paid to them *pro rata* after paying costs. Any such laborer or servant desiring to enforce his or her claim for wages under this act shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property within ten days after the seizure thereof on any execution or writ of attachment, or within thirty days after the same may have been placed in the hands of any receiver or trustee; and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto (after first paying all costs occasioned by the seizure of such property) out of the proceeds of the sale of the property seized: *Provided*, that any person interested may contest any such claim or claims or any part thereof by filing exceptions thereto, supported by affidavit, with the officer having the custody of such property and thereupon the claimant shall be required to reduce his claims to judgment before some court having jurisdiction thereof, before any part thereof shall be paid.

KANSAS.

CONSTITUTION.

ARTICLE 11.—*Exemption from taxation.*

SECTION 1. The legislature shall provide for a uniform and equal rate of assessment and taxation; but * * * personal property to the amount of at least two hundred dollars for each family shall be exempted from taxation.

ARTICLE 15.—*Exemption from execution, etc.—Homesteads.*

SECTION 9. A homestead to the extent of one hundred and sixty acres of farming land, or of one acre if within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all improvements on the same, shall be exempted from forced sale, under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon: *Provided*, The provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife.

COMPILED LAWS OF 1885.

CHAPTER 31.—*Sunday labor.*

SECTION 2116. Every person who shall either labor himself, or compel his apprentice, servant or any other person under his charge or control, to labor or perform any work other than the household offices of daily necessity, or other works of necessity or charity, on the first day of the week, commonly called Sunday, shall be deemed guilty of a misdemeanor, and fined not exceeding twenty-five dollars.

SECTION 2117. The last section shall not extend to any person who is a member of a religious society, by whom any other than the first day of the week is observed as a Sabbath, so that he observes such Sabbath, nor to prohibit any ferryman from crossing passengers on any day in the week.

SECTION 2119. Every person who shall expose to sale any goods, wares or merchandise * * * on the first day of the week, commonly called Sunday, shall, on conviction, be adjudged guilty of a misdemeanor, and fined not exceeding fifty dollars.

CHAPTER 31.—*Strikes—Obstructing conduct of business, etc.*

SECTION 2213. If any locomotive engineer, in furtherance of any combination or agreement, shall wilfully and maliciously abandon his locomotive, upon any railroad, at any other point than the regular schedule destination of such locomotive, he shall be fined not less than twenty dollars nor more than one hundred dollars, and confined not less than twenty days nor more than ninety days in the county jail.

SECTION 2214. If any person or persons shall wilfully and maliciously, by any act or by means of intimidation, impede or obstruct, except by due process of law, the regular operation and conduct of the business of any railroad company, or other corporation, firm or individual in this State, or of the regular running of any locomotive engine, freight or passenger train of any such company, or the labor and business of any such corporation, firm or individual, he or they shall, on conviction thereof, be punished by a fine of not less than twenty dollars, nor more than two hundred dollars, and confined in the county jail not less than twenty days nor more than ninety days.

SECTION 2215. If two or more persons shall wilfully and maliciously combine or conspire together to obstruct or impede by any act, or by means of intimidation, the regular operation and conduct of the business of any railroad company, or any other corporation, firm or individual in this State, or to obstruct, hinder, or impede, except by due process of law, the regular running of any locomotive engine, freight or passenger train on any railroad, or the labor or business of any such corporation, firm or individual, such person shall, on conviction thereof, be punished by fine not less than twenty dollars, nor more than two hundred dollars, and confined in the county jail not less than twenty days nor more than ninety days.

SECTION 2216. [These sections] * * * shall not be construed to apply to cases of persons voluntarily quitting the employment of any railroad company, or such other corporation, firm or individual, whether by concert of action or otherwise. * * *

CHAPTER 38.—*Exemption from execution, etc.—Homesteads.*

SECTION 2655. A homestead to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all the im-

provements on the same, shall be exempted from forced sale under any process of law, and shall not be alienable without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon: *Provided*, The provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife.

CHAPTER 38.—*Exemption from execution, etc.—Personal property.*

SECTION 2657. Every person residing in this State, and being the head of a family, shall have, exempt from seizure and sale upon any attachment, execution or other process issued from any court in this State, the following articles of personal property:

First. The family Bible, schoolbooks and family library.

Second. Family pictures, and musical instruments used by the family.

Third. A seat or pew in any church or place of public worship, and a lot in any burial ground.

Fourth. All the wearing apparel of the debtor and his family; all beds, bedsteads and bedding used by the debtor and his family; one cooking stove and appendages, and all other cooking utensils, and all other stoves and appendages necessary for the use of the debtor and his family; one sewing machine, all spinning wheels and looms, and all other implements of industry, and all other household furniture not herein enumerated, not exceeding in value five hundred dollars.

Fifth. Two cows, ten hogs, one yoke of oxen, and one horse or mule, or, in lieu of one yoke of oxen and one horse and mule, a span of horses or mules; twenty sheep, and the wool from the same, either in the raw material or manufactured into yarn or cloth.

Sixth. The necessary food for the support of the stock mentioned in this section for one year, either provided or growing, or both, as the debtor may choose; also, one wagon, cart or dray, two plows, one drag, and other farming utensils, including harness and tackle for teams, not exceeding in value three hundred dollars.

Seventh. The grain, meat, vegetables, groceries, and other provisions on hand, necessary for the support of the debtor and his family for one year, and also all the fuel on hand necessary for their use for one year.

Eighth. The necessary tools and implements of any mechanic, miner or other person used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade not exceeding four hundred dollars in value.

Ninth. The library, implements, and office furniture of any professional man.

SECTION 2658. The following property only shall be exempt from attachment and execution, when owned by any person residing in this State, other than the head of a family:

First. The wearing apparel of the debtor.

Second. A seat or pew in any church or place of public worship, and a lot in any burial ground.

Third. The necessary tools and instruments of any mechanic, miner or other person, used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade, as provided in the last section.

Fourth. The library, implements, and office furniture of any professional man.

SECTION 2660. None of the personal property mentioned in this act shall be exempt from attachment or execution for the wages of any clerk, mechanic, laborer or servant.

CHAPTER 62.—*Earnings of married women.*

SECTION 3350. Any married woman may carry on any trade or business, and perform any labor or services, on her sole and separate account; and the earnings of any married woman, from her trade, business, labor or services, shall be her sole and separate property, and may be used and invested by her in her own name.

CHAPTER 66*a*.—*Coal-mine regulations and inspection.*

SECTION 3442. The owner or owners or lessee of each and every coal mine or colliery in this State, which is worked by means of a shaft, shall make and construct an escapement shaft, making at least two distinct means of ingress and

egress for all persons employed or permitted to work in such coal mine or colliery. Such escapement shaft, or other communication with a contiguous mine, shall be constructed in connection with every stratum of coal worked in such coal mine or colliery; and every escapement shaft, or other communication with a contiguous mine, as aforesaid, shall be so constructed as to be accessible from every entry, plane or level in said coal mine or colliery, in case of a fire or other accident to the main shaft. * * *

SECTION 3443. The time allowed for such construction shall be four months for the first fifty feet or fractional part thereof, and three months for each and every additional fifty feet in depth of said escapement shaft so to be constructed. And every such escapement shall be separated from the main shaft by at least one hundred feet of natural strata. * * *

SECTION 3444. Any owner or owners or lessee of any coal mine or colliery, who shall neglect or refuse to comply with sections one and two of this act, shall be deemed guilty of a misdemeanor, and subject to a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail not more than three months, or by both such fine and imprisonment.

SECTION 3445. Any miner, workman or other person who shall knowingly obstruct or throw open any airways, or carry lighted lamps into places that are worked by the light of safety-lamps, or shall move or disturb any part of the machinery of the hoisting engine, or whim, or open a door in the mine, and not have the same closed again, whereby danger is produced, either to the mine or those at work therein, or who shall enter into any part of the mine against caution, or who shall disobey any order given in pursuance of this act, or who shall do any wilful act whereby the lives and health of persons working in the mine, or the security of the mine or miners, or the machinery thereof is endangered, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine or imprisonment, at the discretion of the court.

SECTION 3458. The owner, agent or operator of every coal mine shall make or cause to be made within six months after the passage of this act, an accurate map or plan of the workings of such coal mine, and each and every vein thereof, on a scale not exceeding one hundred feet to the inch, and showing the bearings and distances, which shall be kept in the office of such coal mine; and it shall be the duty of the owner, agent or operator of such coal mine to furnish the state inspector with a true copy of said map or plan, the same to be deposited at his office. And such owner, agent or operator shall cause, on or before the 10th day of July of each year, a plan of the progress of the workings of such coal mine during the year past to be marked on the original map or plan of the said coal mine, and the inspector shall correct his map or plan of said workings in accordance with the above plan or map thus furnished. And when any coal mine is worked out or abandoned, the fact shall be reported to the inspector, and the map or plan of such coal mine in his office shall be carefully corrected and verified: *Provided*, If the owner, agent or operator of any coal mine shall neglect or refuse, or for any cause fail, for the period of two months after the time prescribed, to furnish the said map or plan as hereby required, or if the inspector shall find, or have reason to believe, that any map or plan of any coal mine furnished in pursuance of this act is materially inaccurate or imperfect, he is hereby authorized to cause a correct map or plan of the actual workings of said coal mine to be made at the expense of the owner, agent or operator thereof, the cost of which shall be recovered from said owner, agent or operator as other debts are recoverable by law: *Provided*, That if the map or plan which the inspector claimed to be incorrect shall prove to have been correct, then the aforesaid expense shall be paid by the inspector.

SECTION 3459, (as amended by chapter 174, acts of 1889). It shall not be lawful, after six months from the passage of this act, for the owner, agent or operator of any coal mine to employ any person at work within said coal mine, or permit any person to be in said coal mine for the purpose of working therein, unless they are in communication with at least two openings, separated by natural strata of not less than eighty feet in breadth if the mine be worked by shaft or slope, and if worked by drift not less than fifty feet: *Provided, however*, That such coal mine shall not exceed one hundred feet in depth, from the surface to the coal; and for every additional one hundred feet, or fractional part thereof, six months additional time will be granted; but in all cases the number of men shall be limited, not to exceed twenty-five until the second opening is perfected and made available; and a roadway to the same shall be kept open, not less than three feet high and four feet wide, thereby forming a communication as contemplated in this act, but the limit herein prescribed as to the number work-

ing in the shaft before the completion of the second opening shall not apply to mines exceeding seven hundred feet in depth. And for a failure to do as provided in this section, the owner, agent or operator shall be subject to the penalty provided for in section [3472] * * *. And in case furnace ventilation being used before the second opening is reached, the furnace shall not be within forty feet of the foot of the shaft, and shall be secured from danger from fire by brick or stone walls of sufficient thickness; and the flues shall be composed of incombustible material to an extent of not less than thirty feet from the furnace and the mine while being driven for making or perfecting a second opening. In all cases where the human voice cannot be distinctly heard, the owner, agent or operator shall provide and maintain a metal tube from the top to the bottom of the shaft or slope, suitably adapted to the free passage of sound, through which conversation may be held between persons at the bottom and top of such shaft or slope; and there shall also be maintained the ordinary means of signaling to and from the top and bottom of such shaft or slope. In all mines of one hundred feet in depth or over from the surface of the ground an improved safety-catch shall be used, and sufficient horns or flanges shall be attached to the sides of the drum of every machine that is used for lowering or hoisting persons into and out of said mine where steam is used, and adequate brakes shall be attached thereto. The main link attached to the swivel of the wire rope shall be made of the best quality of iron, and shall be tested by weights or other means satisfactory to the inspector of mines of the State; and bridle chains shall be attached to the main link from the cross-pieces of the cage, and no single-link chain shall be used for lowering or raising persons into or out of said mine; and not more than six persons shall be lowered or hoisted by the machinery at any one time; and only sober, competent and experienced engineers shall be employed, and said engineer shall have attained at least the age of eighteen years; and on no account shall any coal be hoisted, or timber or any other material sent up or down, or empty cars, while persons are descending into or ascending out of said mine. In all coal mines hereafter opened, or that shall hereafter go into operation in the State, the owner thereof, or owners, lessee, agent or operator shall construct such escapement shaft as is now required by law in this State, at the rate of fifty feet every six months until such escapement shaft shall have been fully completed; and until such escapement shaft is fully completed and connected with the main shaft, it shall be unlawful to work over twenty-five men in said mine. * * *

SECTION 3460. Every steam boiler used in or around the coal mines of this State shall be provided with a proper steam gauge and water gauge, to show respectively the pressure of steam and the height of water in the boiler, and to be also provided with a proper safety valve; and the owner, agent or operator shall have the said boiler or boilers examined and inspected by a competent boiler maker, or other qualified person, once in every six months, and the result of every examination shall be certified in writing, and conveyed to the mine inspector to be filed in the records of his office.

SECTION 3461. The owner, agent or operator of every coal mine, whether shaft, slope, or drift, shall * * * provide and thereafter maintain for every such mine ample means of ventilation, affording 100 cubic feet of air per minute per person in all mines where the coal strata are three feet thick or over, and a proportionate amount for thinner strata, which shall be circulated whenever any person or persons may be working in said mine. The inspector may increase the amount when necessary, to such an extent as will dilute, carry off and render harmless the noxious gases generated therein; and all mines generating fire-damp shall be kept free of standing gas, and every working-place shall be carefully examined every morning with a safety lamp, by a competent person, before any workman is allowed to enter therein; and it shall be the duty of the owner, agent or operator of every coal mine to provide and maintain air-ways of sufficient dimension to supply the requisite amount of air.

SECTION 3462. In order to better secure the proper ventilation of every coal mine, and promote the health and safety of the persons employed therein, the owner, agent or operator shall employ a competent and practical inside overseer, to be called "mining boss," who shall keep a careful watch over the ventilating apparatus, the air-ways, traveling-ways, pumps and pump timbers and drainage, and shall see that as the miners advance their excavations all loose coal, slate and rock, overhead, are carefully secured against falling in upon the traveling-ways. And every underground plane on which persons travel, worked by self-acting pulleys, engines, windlasses or machinery of whatever description, shall be provided with proper means of signaling between the stopping-

places and the ends of the plane; and shall furthermore be provided in every case, at intervals of not more than thirty feet, with sufficient man-holes for places of refuge. And every road on which persons travel underground, where the coal is drawn by mules or other animals, shall be provided, at intervals of not more than sixty feet, with sufficient man-holes for places of refuge. And every mine shall be supplied with sufficient prop timber, of suitable length and size for the places where it is to be used, and kept in easy access to. And it shall also be the duty of the mining boss to measure the air current at least once per week at the inlet and outlet, and at the face of the workings, and keep a record of such measurements, and report the same to the inspector of the State once in every month. The safety lamps used for examining the mines, or which may be used for working therein, shall be furnished by and be the property of the owner of said mine, and shall be in charge of the agent of such mine. And in all mines generating explosive gases, the doors used in assisting or directing the ventilation of the mine shall be so hung and adjusted that they will close themselves, or be supplied with springs or pulleys so they cannot be left standing open; and boreholes shall be kept, not less than twelve feet in advance of the face of every working-place, and when necessary, on the sides, if the same is driven toward and in dangerous proximity to an abandoned mine suspected of containing inflammable gases, or which is inundated with water.

SECTION 3463. No miner, workman or other person shall take into any mine more than five pounds of powder at one time, and this shall be used before taking any more into the mine; and all powder or other explosive substance shall be kept in a close, tight vessel. Any miner, workman or other person who shall intentionally injure any safety lamp, instrument, air-way brattice, or obstruct or throw open air-ways, or carry lighted lamps, pipes or matches into places worked by the light of safety lamps, or shall move or disturb any part of the machinery, or open a door and not close it again, or enter any place of the mine against caution, or disobey any order given in carrying out the provisions of this act, or who shall do any wilful act whereby the lives or health of persons, or the security of the mine or the machinery is endangered, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine or imprisonment, at the discretion of the court.

SECTION 3464. All machinery about mines and the entrance of every abandoned shaft or slope shall be properly fenced off, and the top of each shaft and each landing of the same shall be fenced around with a fence not less than three feet high on every side, except the side or sides used for loading and unloading the cages, and this side or sides shall have gates or bars, which shall be kept closed at all times except during the active use of the cages at these places; and there shall be cut in the side of every hoisting shaft at the bottom thereof a traveling-way sufficiently high and wide to enable persons to pass the shaft in going from one side of the mine to the other without passing over or under the cages or other hoisting apparatus.

SECTION 3465. * * * the governor of the State, with the advice and consent of the executive council, shall appoint a qualified person to be inspector of mines, * * *. The qualifications for said office of inspector of mines shall be as follows, namely: He * * * shall have had at least five years' experience working in and around coal mines; and he shall furnish evidence of such practical as well as theoretical knowledge of the working of coal mines and noxious gases as will satisfy the governor and executive council of his capacity and fitness for the performance of the duties imposed upon an inspector of mines * * *. He shall reside in the State, and keep an office as centrally located as practicable to the mining districts of the State. * * *

SECTION 3467. No person who shall act as a manager or agent of any coal mine, or as a mining engineer, or be interested in operating any coal mine, shall at the same time act as inspector of coal mines * * *.

SECTION 3468. For any injury to person or property occasioned by any violation of this act, or any wilful failure to comply with its provisions by any owner, lessee or operator of any coal mine or opening, a right of action against the party at fault shall accrue to the party injured for the direct damage sustained thereby; and in any case of loss of life by reason of such violation or wilful failure, a right of action against the party at fault shall accrue to the widow and lineal heirs of the person whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

SECTION 3469. The inspector of mines shall devote the whole of his time to the duties of his office. It shall be his duty to examine each mine in the State

as often as possible, and at least twice each year, to see that all provisions of this act are observed and strictly carried out; and he shall make a record of all examinations of mines, showing the condition in which he finds them, the number of persons employed in and about each mine, the extent to which the law is obeyed, the progress made in the improvements sought to be secured by the passage of this act, the number of accidents and deaths resulting from injuries received in the mines, and all other facts of public interest concerning the condition and progress of mining in this State. In order to facilitate the inspector in his duties, it shall be the duty of all coal operators to make quarterly statements to the inspector of the amount of coal mined, and the number of miners and other persons employed around the mines each quarter. The inspector's record and all matters concerning the coal-mining business of public interest, shall be embodied in the inspector's annual report made to the governor on the first day of February each year.

SECTION 3470, (as amended by chapter 171, acts of 1889). That the inspector may be enabled to perform the duties here imposed on him, he shall have the right at all times to enter any coal mine to make examination or obtain information. He shall notify the owners, lessees or agents immediately of the discovery of any violations of this act and of the penalty imposed thereby for such violation; and in case of such notice being disregarded for the space of ten days, he shall institute a prosecution against the owner, owners, lessee or agent of the mine, under the provisions of section [3472]. In any case, however, where in the judgment of the inspector delay may jeopardize life or limb, he shall at once proceed to the mine where the danger exists and examine into the matter, and if after full investigation thereof he shall be of the opinion that there is immediate danger, he shall apply in the name of the State to the district court of the county in which the mine may be located, or to the district judge in vacation, for an injunction to suspend all work in and about such mine; whereupon said court, or judge in vacation, if the cause appear to be sufficient after hearing the parties and their evidence as in like cases, shall issue a writ to restrain the working until all cause of danger is removed. And the cost of said proceedings, including the charges of attorney prosecuting said application, shall be borne by the owner of the coal mine: *Provided*, That no fee exceeding the sum of twenty-five dollars shall be taxed in any one case for the attorney prosecuting such case: *Provided further*, That if said court (or judge in vacation) shall find the cause not sufficient, then the case shall be dismissed and the cost shall be borne by the State or county in the discretion of the court (or judge in vacation).

SECTION 3471. Whenever, by reason of any explosion, or other accident, in any coal mine, or the machinery connected therewith, loss of life, or serious personal injury, shall occur, it shall be the duty of the person having charge of such coal mine to give notice thereof forthwith to the inspector, and if any person is killed thereby to the coroner of the county, who shall give due notice of the inquest to be held. It shall be the duty of the inspector upon being notified as herein provided, to immediately repair to the scene of the accident, and make such suggestions as may appear necessary to secure the future safety of the men; and if the results of the explosion do not require an investigation by the coroner, he shall proceed to investigate and ascertain the cause of the explosion or accident, and make a record thereof, which he shall file as provided for; and to enable him to make the investigation, he shall have power to compel the attendance of persons to testify, and to administer oaths or affirmations. The cost of such investigation shall be paid by the county in which the accident occurred, in the same manner as costs of inquests held by the coroner or justices of the peace are paid.

SECTION 3472. Any owner, or owners, lessee, agent or operator of any coal mine who shall neglect or refuse to comply with sections one, two, three, four, five, six and eight of this act, shall be deemed guilty of a misdemeanor, and subject to a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail not more than three months, or by both such fine and imprisonment. All penalties recovered under this act shall be applied, in the county in which the fine is collected, to the support of common schools.

SECTION 3473. No person under twelve years of age shall be allowed to work in any coal mine, nor any minor between the ages of twelve and sixteen years unless he can read and write and furnish a certificate from a school teacher, which shall be kept on file, showing that he has attended school at least three months during the year; and in all cases of minors applying for work, the agent

of such coal mine shall see that the provisions of this section are not violated; and upon conviction of a wilful violation of this section of this act, the agent of such coal mine shall be fined in any sum not to exceed fifty dollars for each and every offense.

SECTION 3474. The terms "owner," "owners," "lessee," "agent," or "operator," as used in this act, shall include the immediate proprietor, lessee or occupier of any coal mine, or any person having on behalf of any owner or owners, or lessee, as aforesaid, the care and management of any coal mine, or any part thereof.

CHAPTER 77.—*Convict labor.*

SECTION 3682. The labor of the prisoners in the State penitentiary may be hired to one or more individuals or corporations at a stipulated price per day for the labor of each prisoner, as hereinafter provided.

SECTION 3683. Before letting any contract the chairman of the board of directors shall advertise for proposals for bids in at least two papers of general circulation, and published in each Congressional district in this State, for at least sixty days preceding the opening of the bids and awarding the contract.

SECTION 3684. No contract shall be made for a term exceeding ten years, and shall be awarded to the highest responsible bidder, but not at a less price than forty-five cents per diem for each able-bodied convict. * * *

SECTION 3688. In contracting the labor of the prisoners, the State shall retain the right of full control through the proper officers over them, and shall reserve the right to govern the prisoner, and to change the disciplinary rules of the prison, and to forbid any work or mode or manner of doing the same that is injurious to the health or dangerous to the person of the prisoner; and the party hiring the labor shall be required, so far as practicable, to teach each prisoner as much of the trade at which he is employed as will enable him to work at the same when discharged from prison. No contract shall be made for the employment of the prisoners outside of the prison grounds. A day's labor shall be ten hours. The bond to secure performance of contract in each case shall be executed to the State of Kansas in such sum as may be determined by the board, but in no case to be a less sum than ten thousand dollars nor more than fifty thousand dollars, and be approved by the board making the award, or a majority of them.

CHAPTER 84.—*Liability of railroad companies for injuries of employés.*

SECTION 5204. Every railroad company organized or doing business in this State shall be liable for all damages done to any employé of such company in consequence of any negligence of its agents, or by any mismanagement of its engineers or other employés to any person sustaining such damage.

CHAPTER 84.—*Contractor's bond—Security for wages of railroad employés.*

SECTION 5210. Whenever any railroad company shall contract with any person for the construction of its road or any part thereof, such railroad company shall take from the person with whom such contract is made, a good and sufficient bond, conditioned that such person shall pay all laborers, mechanics and material men, and persons who supply such contractor with provisions or goods of any kind, all just debts due to such persons, or to any person to whom any part of such work is given, incurred in carrying on such work, which bond shall be filed by such railroad company in the office of the register of deeds in each county where the work of such contractor shall be; and if any such railroad company shall fail to take such bond, such railroad company shall be liable to the persons herein mentioned to the full extent of all such debts so contracted by such contractor.

SECTION 5211. All such persons mentioned in [above sections] * * * shall have a right of action on the bond, provided for in [above section] * * * , for the full awards of debts against such contractor.

CHAPTER 103*a*.—*Bureau of labor and industrial statistics.*

SECTION 6061. There is hereby established a bureau of labor and industrial statistics of the State of Kansas.

SECTION 6062. It shall be the duty of said bureau to collect, assort, systematize, and present in annual reports to the governor, to be by him biennially trans-

mitted to the legislature, statistical details relating to all departments of labor and industrial pursuits in the State, especially in their relation to the commercial, industrial, social, educational and sanitary condition of the laboring classes, and to the permanent prosperity of the productive industries of the State.

SECTION 6063. The governor shall * * * appoint, by and with the advice and consent of the Senate, some suitable person, who is identified with the labor interests of the State, who shall be designated "commissioner of labor statistics, * * *.

SECTION 6065. The commissioner shall have power to take and preserve testimony, examine witnesses under oath, and administer the same; and in the discharge of his duties may, under proper restrictions, enter any public institution of the State, and any factory, workshop, or mine. The commissioner may also furnish and deliver a written or printed list of interrogatories to any person, company, or the proper officer of any corporation, and require full and complete answers to be made thereto, and returned under oath; and if any person who may be sworn to give testimony shall wilfully fail or refuse to answer any question propounded to him concerning the subject of such examination, as provided in this act, or if any person to whom a written or printed list of interrogatories has been furnished by said commissioner shall neglect or refuse to fully answer and return the same under oath, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof before a court of competent jurisdiction shall be fined in a sum not exceeding fifty dollars, or by imprisonment in the county jail not exceeding ninety days, or by both such fine and imprisonment.

SECTION 6066. All State, county, township and city officers are hereby directed to furnish said commissioner, upon his request, all statistical information in reference to labor which shall be in their possession as such officers.

CHAPTER 107.—*Exemption from taxation.*

SECTION 6212, (as amended by chapter 249, acts of 1889). The property described in this section * * * shall be exempt from taxation:

* * * * * * *

Ninth. Personal property to the amount of two hundred dollars for each family.

Tenth. The wearing apparel of every person.

* * * * * * *

Twelfth. Family libraries and school books of every person and family not exceeding in value in any one case of fifty dollars.

ACTS OF 1886.

CHAPTER 28.—*Tribunals of voluntary arbitration.*

SECTION 1. That the district court of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of a petition as hereinafter provided it shall be the duty, of said court or judge to issue a license or authority for the establishment within and for any county within the jurisdiction of said court, of a tribunal for voluntary arbitration and settlements of disputes between employers and employed in the manufacturing, mechanical, mining and other industries.

SECTION 2. The said petition shall be substantially in the form hereinafter given, and the petition shall be signed by at least five persons employed as workmen, or by two or more separate firms, individuals, or corporations within the county who are employers within the county: * * *.

SECTION 3. If the said petition shall be signed by the requisite number of either employers or workmen, and be in proper form, the judge shall forthwith cause to be issued a license, authorizing the existence of such a tribunal and containing the names of four persons to compose the tribunal, two of whom shall be workmen and two employers, all residents of said county, and fixing the time and place of the first meeting thereof; * * *.

SECTION 4. Said tribunal shall continue in existence for one year from the date of the license creating it, and may take jurisdiction of any dispute between employers and workmen in any mechanical, manufacturing, mining, or other industry, who may submit their disputes in writing to such tribunal for decision. * * * Said court at the time of the issuance of said license shall appoint an umpire for said tribunal, who shall be sworn to impartially decide all questions that may be submitted to him during his term of office. The umpire shall be called upon to

act after disagreement is manifested in the tribunal by failure to agree during three meetings held and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same. And the award of said tribunal shall be final and conclusive upon the questions so submitted to it: *Provided*, That said award may be impeached for fraud, accident, or mistake.

SECTION 7. * * * The chairman of the tribunal shall have power to administer oaths to all witnesses * * * , and a majority of said tribunal may provide for the examination and investigation of books, documents and accounts necessary, material and pertaining to the matters in hearing before the tribunal, and belonging to either party to the dispute. The umpire shall have power when necessary to administer oaths and examine witnesses, and examine and investigate books, documents and accounts pertaining to the matters submitted to him for decision.

SECTION 9. Before the umpire shall proceed to act, the question or questions in dispute shall be plainly defined in writing and signed by the members of the tribunal or a majority thereof, or by the parties submitting the same; and such writing shall contain the submission of the decision thereof to the umpire by name, and shall provide that his decision thereon after hearing shall be final; and said umpire must make his award within five days from the time the question or questions in dispute are submitted to him. Said award shall me made to the tribunal; and if the award is for a specific sum of money, said award of money, or the award of the tribunal, when it shall be for a specific sum, may be made a matter of record by filing a copy thereof in the district court of the county wherein the tribunal is in session. When so entered of record it shall be final and conclusive, and the proper court may on motion of anyone interested, enter judgment thereon; and when the award is for a specific sum of money may issue final and other process to enforce the same; * * *.

SECTION 10. The form of the petition * * * shall be as follows: To the district court of ——— county (or a judge thereof * * *): The subscribers hereto being the number and having the qualifications required in this proceeding, being desirous of establishing a tribunal of voluntary arbitration for the settlement of disputes in the manufacturing, mechanical, mining and other industries, pray that a license for a tribunal of voluntary arbitration may be issued, to be composed of four persons and an umpire, as provided by law.

CHAPTER 111.—*Exemption from garnishment, etc.—Wages.*

SECTION 1, (as amended by chapter 268, acts of 1889). The earnings of a debtor, who is a resident of this State, for his personal services at any time within three months next preceding the issuing of an execution, attachment or garnishment process, can not be applied to the payment of his debts when it is made to appear by the debtor's affidavit or otherwise that such earnings are necessary for the maintenance of a family supported wholly or partly by his labor: *Provided*, That at the time of filing such affidavit the debtor shall notify the plaintiff or his agent or attorneys thereof in writing: *And provided*, That nothing herein contained shall prevent the adverse party from controverting the matters sought to be proven by such affidavit by counter-affidavit, or * * * the same may be controverted by any competent evidence. * * *

CHAPTER 160.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1. In grateful recognition of the services, sacrifices and sufferings of persons who served in the Army and Navy of the United States, in the war of the rebellion, and have been honorably discharged therefrom, they shall be preferred for appointment and employment to positions in every public department, and upon all public works of the State of Kansas, and of the cities and towns of this State, over other persons of equal qualification; and the persons thus preferred shall not be disqualified from holding any position in said service on account of his age, nor by reason of any physical disability: *Provided*, Such age or disability does not render him incompetent to perform the duties of the position applied for.

SECTION 2. In making any reduction of force in any of the departments, cities or towns of this State, the officers of such department, city or town shall retain those persons who may be equally qualified, who have been honorably discharged from the military or naval service of the United States, and the widows and orphans of deceased soldiers and sailors.

ACTS OF 1887.

CHAPTER 116.—*Coöperative associations.*

SECTION 1. Twenty or more persons in this State may organize and incorporate a coöperative society or company in the manner and form provided by law in other cases, for the purpose and to the end of more successfully promoting and conducting any industrial pursuit.

SECTION 3. The shareholders in any such society or company shall each have but one vote in all matters pertaining to the business of such society or company, without regard to the number of shares owned.

CHAPTER 117.—*Coöperative associations.*

SECTION 1. * * * *Provided*, That coöperative associations * * * may, * * * further increase their capital stock to any amount not exceeding one hundred thousand dollars.

CHAPTER 171.—*Payment of wages.*

SECTION 1. It shall be unlawful for any person, firm, company or corporation to sell, give, deliver, or in any manner issue directly or indirectly to any person employed by him or it, in payment of wages due for labor, or as advances on the wages of labor not due, any scrip, token, check, draft, order, or other evidence of indebtedness payable to bearer or his assignee otherwise than at date of issue in lawful money of the United States. Any violation of the provisions of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or imprisonment of not more than thirty days, or both; and the amount of any scrip, token, check, draft, order, or other evidence of indebtedness, sold, given, delivered, or in any manner issued in violation of the provisions of this section, shall be recovered in money at the suit of any holder thereof against the person, firm, company or corporation selling, giving, delivering, or in any manner issuing the same: *Provided*, That nothing contained in this section shall apply to or affect the right of any person or private individual from giving orders on any store or business house or firm in the business or the business or profits of which he or it has no interest directly or indirectly: *Provided further*, That such order shall only be given at the solicitation of the employé of such person or private individual: * * *

SECTION 2. Whoever compels or in any manner seeks to compel or attempts to coerce an employé of any person, firm or corporation to purchase goods or supplies from any particular person, firm or corporation, shall be fined not more than one hundred dollars nor less than twenty dollars, or imprisoned not more than sixty days, or both.

CHAPTER 179.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 1. Whenever any public officer shall, under the laws of the State, enter into contract in any sum exceeding one hundred dollars, with any person or persons, for the purpose of making any public improvements, or constructing any public building or making repairs on the same, such officer shall take from the party contracted with a bond with good and sufficient sureties to the State of Kansas, in a sum not less than the sum total in the contract, conditioned that such contractor or contractors shall pay all indebtedness incurred for labor or material furnished in the construction of said public building or in making said public improvements.

SECTION 2. Such bond shall be filed in the office of the clerk of the district court of the county in which such public improvement is to be made or such public building is to be erected; and any person to whom there is due any sum for labor or material furnished, as stated in section one of this act, or his assigns, may bring an action on said bond for the recovery of said indebtedness: *Provided*, That no action shall be brought on said bond after six months from the completion of said public improvements or public buildings.

ACTS OF 1889.

CHAPTER 104—*Certain employments of children forbidden.*

SECTION 1. * * * any person, having in his custody or control a child under the age of fourteen years, who shall in any way dispose of it with a view to its being employed as an acrobat, or a gymnast, or a contortionist, or a circus rider, or a rope walker, or in any exhibition of like dangerous character, or as a beggar, or mendicant, or pauper, or street singer, or street musician; or any person who shall take, receive, hire, employ, use, exhibit, or have in custody any child of the age last named for any of the purposes last enumerated, shall be deemed guilty of a misdemeanor, and when convicted thereof shall be subject to punishment by a fine of not more than two hundred and fifty dollars, or by imprisonment for a term not exceeding one year, or both.

CHAPTER 172—*Shot-firing in mines.*

SECTION 1. All owners, lessees, operators of, or any other person having the control or management of any coal shaft, slope, drift or pit in this State employing miners to work therein, shall employ shot-firers to fire the shots therein. Said shots shall be fired once a day on each day when any such shaft, slope, drift or pit is in operation, but shall not be fired until after all miners and other employés working therein shall have been hoisted out of said mine.

SECTION 2. It shall be unlawful for any miner or any other person other than the shot-firers * * * to fire any shot in any coal shaft, slope, drift or pit in this State. Any miner or other person engaged in mining coal in this State who shall drill any hole or fire any shot in the coal vein at the working-face of any room or entry until so much of said coal vein at said working-face as the said shot or shots are intended to throw down shall have been undermined to the depth of not less than two feet, or sheared or cut to the full depth of the drill or shot-hole and of the full thickness of the coal vein in rooms, or shall have been sheared to the full depth of the drill or shot-hole and the full thickness of vein in entries, or who shall so direct the drilling of such holes as to include between such shearing or mining and the back or rear end of the hole a greater width of coal than is contained between such shearing or mining and the mouth of the hole, shall be deemed guilty of of a misdemeanor, and fined as hereinafter provided.

SECTION 3. Any owner, lessee, operator, or other person having the control or management of any coal shaft, slope, drift or pit, who shall refuse to furnish the shot-firers, * * * shall be deemed guilty of a misdemeanor, and on conviction therefor shall be fined in any sum not less than fifty nor more than two hundred dollars for each offense, or imprisonment in the county jail * * * for a period not to exceed thirty days, or by both such fine and imprisonment; * * *.

SECTION 4. Any miner or other person who shall fire any shot in violation of section two of this act shall be deemed guilty of a misdemeanor, and on conviction therefor shall be fined in any sum not less than fifty nor more than two hundred dollars, or imprisonment in the county jail * * * not to exceed thirty days, or by both such fine and imprisonment; * * *.

KENTUCKY.

GENERAL STATUTES OF 1881.

CHAPTER 29, ARTICLE 14—*Enticing employés.*

SECTION 13. If any person shall wilfully entice, persuade, or otherwise influence any person or persons who have contracted to labor for a fixed period of time, to abandon such contract before such period of service shall have expired, without the consent of the employer, shall be fined not exceeding fifty dollars, and be liable to the party injured for such damages as he or they may have sustained.

CHAPTER 29, ARTICLE 17—*Sunday labor.*

SECTION 10. No work or business shall be done on the Sabbath day, except the ordinary household offices, or other work of necessity or charity. If any person on the Sabbath day shall himself be found at his own, or any other trade or calling, or shall employ his apprentices, or other person, in labor or other business,

whether the same be for profit or amusement, unless such as is permitted above, he shall be fined not less than two nor more than fifty dollars for each offense. Every person or apprentice so employed shall be deemed a separate offense. Persons who are members of a religious society, who observe as a Sabbath any other day in the week than Sunday, shall not be liable to the penalty described in this section, if they observe as a Sabbath one day in each seven, as herein provided.

CHAPTER 38, ARTICLE 13—*Exemption from execution, etc.—Homesteads.*

SECTION 9. In addition to the personal property exempt from execution by this chapter, there shall, on all debts or liabilities created or incurred after the first day of June, one thousand eight hundred and sixty-six, be exempt from sale under execution, attachment, or judgment of any court, except to foreclose a mortgage given by the owner of a homestead, or for purchase money due therefor, so much land, including the dwelling-house and appurtenances owned by the debtor, as shall not exceed in value one thousand dollars.

SECTION 13. * * * such exemption in favor of an execution debtor, or one against whom judgment has been rendered, shall continue after his death for the benefit of his widow and children, but shall be estimated in allotting dower.

SECTION 14. The homestead shall be for the use of the widow so long as she occupies the same, and the unmarried infant children of the husband shall be entitled to a joint occupancy with her until the youngest unmarried child arrives at full age. But the termination of the widow's occupancy shall not affect the right of the children; but said land may be sold, subject to the right of said widow and children, if a sale is necessary to pay the debts of the husband.

SECTION 15. The homestead of a woman shall, in like manner, be for the use of her surviving husband and her children, situated as above; and when his and their interest ceases, it shall be disposed of in like manner, and the proceeds applied on the same terms to her debts; if none, divided among her children.

SECTION 16. The exemption provided for in this chapter shall apply to all persons, of any race or color, who are actual *bona fide* housekeepers of this commonwealth, but shall not apply to sales under execution, attachment, or judgment at the suit of creditors, if the debt or liability existed prior to the purchase of the land, or of the erection of the improvements thereon.

ACT APPROVED APRIL 11, 1873—*Earnings of married women.*

(Page 533.)

SECTION 1, (as amended by chapter 293, acts of 1890). The wages and compensation of married women, for service and labor done and performed by them, shall be free from the debts and control of their husband; and their employers shall pay such wages and compensation to such married women only, unless otherwise directed by the written order of such married women. * * *

ACT APPROVED MARCH 20, 1876.—*Wages and claims for materials, etc., furnished preferred—In assignments, etc.*

(Page 982.)

SECTION 1. When the property or effects of any railroad company, or of any owner or operator of any rolling mill, foundry, or other manufacturing establishment, whether incorporated or not, shall be assigned for the benefit of creditors, or shall come into the hands of any executor, administrator, commissioner, receiver of a court, trustee, or assignee, for the benefit of creditors, or shall in any wise come to be distributed among creditors, whether by operation of law or by the act of such company, owner, or operator, the employés of such company, owner, or operator in such business, and the persons who shall have supplied materials or supplies for the carrying on of such business, shall have a lien upon so much of such property and effects as may have been embarked in such business, and all the accessories connected therewith, including the interest of such company, owner or operator in the real estate used in carrying on such business.

SECTION 2. The said lien shall be superior to the lien of any mortgage or other encumbrance heretofore or hereafter created, and shall be for the whole amount due such employés as such, or due for such materials or supplies: *Provided*, That no president or other chief officer, nor any director or stockholder of any such company, shall be deemed an employé within the meaning of this act.

SECTION 3. When the trustee or other person having the administration or distribution of such property or effects shall continue the operation of the busi-

ness, it shall be his duty, at the end of each calendar month, after payment of current expenses, and after payment of any debt due the United States, or the State of Kentucky, to distribute the remaining money in his hands among the persons to whom a lien is hereby given, *pro rata*, except twenty per cent. thereof, which he may, if necessary, reserve for contingent expenses.

SECTION 4. When any such company, owner or operator, shall suspend, sell, or transfer such business, or when the property or effects engaged in such business shall be taken in attachment or execution, so that the business shall be stopped or suspended, the said lien shall attach as fully as is provided in section first of this act, and in such case may be enforced by proceedings in equity.

[The preceding is amended as follows by an act approved May 4, 1880, page 984 of the General Statutes:]

SECTION 1. So much of an act, entitled "An act to provide for liens for laboring men and supply men," approved March 20, 1876, as allowed a prior lien to such persons as have furnished materials or supplies to any rolling mill, foundry, or other manufacturing establishment, for the payment of such claim, be, and the same is hereby, repealed.

SECTION 2. That said original act be so amended as to allow a lien to all laboring men employed in rolling mills, foundries, or other manufacturing establishments, for wages due within sixty days before any assignment, for any purpose, as specified in the original act.

ACTS OF 1883-'84.

CHAPTER 1335.—*Coal mine regulations and inspection.*

SECTION 1. There shall be appointed by the governor, with the advice and consent of the senate, an inspector of mines, who shall hold his office for four years, but shall be liable to be removed by the governor for wilful neglect of duty or malfeasance in office. Said inspector shall have a practical knowledge of chemistry, geology, and mineralogy, and shall also possess a practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of the mines, especially fire-damp, and he shall have also a practical knowledge of mining and engineering; * * *.

SECTION 2. Said inspector shall give his entire time and attention to the discharge of the duties of his office, and it shall be a part of his duty to visit and inspect, as often as may be necessary, all the coal mines in actual operation in Kentucky, and to see that the provisions of this act are complied with by the owners, agents, and superintendents of all the mines in this State.

SECTION 3, (as amended by chapter 875, acts of 1887-'88 and chapter 785, acts of 1889-'90). Said inspector shall have power to visit and inspect any mine to which this act applies. He shall examine into the condition of such mine with respect to ventilation, drainage, timbering and general security; and if, upon inspection, he finds that such ventilation, drainage or timbering as the health or safety of the persons employed in the mine would require has not been provided, or should he find the mine insecure in any part, or should he find that sufficient and safe means of ingress and egress have not been provided, said inspector shall at once notify the agent, superintendent or owner of the mine as to the unsafe or unwholesome condition of such mine, and require him to put the mine in a safe and wholesome condition, and such mine shall forthwith be rendered safe and healthful. For a failure to comply with the directions of the inspector to render such mine safe, and to provide such ventilation as is sought to be secured by this act, and to provide safe and suitable means of ingress and egress, within sixty (60) days from the date of the inspection, the agent or superintendent and owner so delinquent, shall be liable to a fine of fifty ($50) dollars a day for every day that such mine shall be suffered to remain in such unsafe or unhealthful condition after the expiration of the sixty (60) days above provided, in which the required improvements should be made, which fine may be collected by indictment by the grand jury of the county in which such mine is situate. But in cases in which the inspector is satisfied, from personal investigation, that, even if due diligence is observed, the required improvements cannot be completed within the sixty (60) days above provided, he shall have authority to extend the time for not more than sixty (60) days longer; but when the time is thus extended the agent, superintendent or owner who is delinquent after the expiration of the additional time, shall be subject to indictment and fine as above provided. And as a cumulative

remedy in case of failure after notice from the inspector, of any owner, agent or superintendent to conform to the provisions of this act within the time provided by this section, any court of competent jurisdiction while in session, or the judge in vacation may, on application of the inspector, by civil action in the name of the State, enjoin or restrain, by writ of injunction, the said owner, agent or superintendent from working or operating such mine with more than five persons until it is made to conform with the provisions of this act, but before such writ of injunction shall issue the owner, agent or superintendent shall have at least three days' notice of such contemplated action, and shall have the right to appear before said court, or the judge in vacation, to whom the application is made, who shall hear the same on affidavits and such other testimony as may be offered in support or in opposition thereto.

SECTION 4. The inspector of mines shall keep an office in the state house at Frankfort, and shall keep a record of all inspections made by him, and shall furnish a certified copy of his report of the inspection of any mine inspected by him to the Commonwealth's attorney of the district in which the mine is situate on application therefor, which copy shall be admissable in evidence in any court in this Commonwealth, and shall be prima facie evidence of the truth of the recitals therein contained.

SECTION 5, (as amended by chapter 875, acts of 1887-'88, and chapter 785, acts of 1889-'90). Such inspector, while in office, shall not act as agent or as a manager or mining engineer, or be interested in operating any mine, and he shall, annually, on or before the tenth day of October, make report to the governor of his proceedings and of the condition and operation of the coal mines in this State, enumerating all accidents which shall have occurred in or about the same, and giving such other information as he may deem useful, and making such suggestions as he may deem important as to further legislation on the subject of mining. The inspector shall also report the number of persons employed in and about the mines, and the amount of coal mined; and for the purpose of enabling him to make such report as is required by this section the owner, lessee, agent, or superintendent of every mine to which this act applies, is hereby required to give accurate information, on blanks to be furnished by the inspector, as to all accidents occurring in and about the mines, the number of persons employed, and the amount of coal mined; and the owner, lessee, agent or superintendent refusing or failing to furnish the inspector such information, shall be liable to a fine of fifty dollars, to be collected by indictment by the grand jury of the county in which the mine concerning which such information is refused is situate. The inspector is authorized to extend his observations so as to be prepared to report upon the general mining possibilities and mineral resources of the counties to which he is called in the prosecution of his duties as inspector; one thousand copies of the inspector's annual report shall be printed for general distribution.

SECTION 6. The inspector shall receive an annual salary of eighteen hundred dollars, payable monthly, and shall likewise be allowed and paid his necessary traveling expenses when absent from his office on business connected with his department; and he shall make out and keep on file in his office maps and plans of all coal mines in operation in this State, which maps, plans, and all the books, records, and apparatus of his office he shall carefully keep, and turn over the same, with all official correspondence pertaining to his office, to his successors.

SECTION 8. There shall be provided for said inspector all instruments and chemical tests necessary for the discharge of his duties under this act, which shall be paid for on the order of the inspector, and which shall belong to the State.

SECTION 9, (as amended by chapter 875, acts of 1887-'88, and chapter 785, acts of 1889-'90). The owner, agent, or superintendent of every coal mine in this State shall make, or cause to be made, an accurate map or plan of the working of such mine, on a scale of not less than one hundred feet to the inch, showing the area mined or excavated, and the location and connection with such excavation of the mine of the lines of all adjoining lands, and the name or names of each owner or owners, so far as known, marked on each tract, a true copy of which map the said owner or agent shall deposit with the inspector within twelve months after the passage of this act, and another copy of which shall be kept at the office of such mine; and the owner, agent, or superintendent shall, on or before the first day of December, eighteen hundred and eighty-four, and every six months thereafter, file with said inspector a statement and plan of the progress of the workings of said mine up to said date, which statement or plan shall be so prepared as to enable the inspector to mark the same on the original map or plan herein required to be made. In event of the failure or refusal of such owner, agent, or superintendent, for two months after the time designated, to *make* the plan or map, or the addition thereto, the inspector is authorized to *cause accurate map* or plan of such mine to be made at the expense of the *owner of such mine*, the cost of which shall be recoverable against the owner

by the person making said map or plan in any court of competent jurisdiction. In case of refusal or failure of the owner, agent, or superintendent to make, or cause to be made, such map and additions thereto for sixty days after notice from the inspector, said owner, agent, or superintendent so refusing shall be liable to a fine of five dollars a day for each day elapsing until such map is made, said fine to be collected by indictment by the grand jury of the county in which the mine to be mapped is situate.

SECTION 10. Twelve months from and after the passage of this act it shall not be lawful for the owner, agent, or superintendent of any coal mine, worked by a shaft wherein over fifteen thousand square yards have been excavated, to employ any person to work therein or to permit any person to work in such mine, unless there are to every seam of coal worked in each mine at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets distinct means of ingress or egress are always available to the persons employed in such mine; but it shall not be necessary for the two outlets to belong to the same mine; and every shaft opened after the passage of this act shall have two such separate outlets after fifteen thousand square yards shall have been excavated; and to all other mines, whether slopes or drifts, two such openings or outlets shall be provided within twelve months after the passage of this act, provided fifteen thousand square yards have been excavated at or before the passage of this act; or if not, then within twelve months after that extent has been excavated. In case such outlets are not provided as herein stipulated, it shall not be lawful for the owner, agent, or superintendent of such mine to permit more than ten persons to work therein at one time. In case any coal mine has but one shaft, slope, or drift for the ingress or egress of the men working therein, and the owner thereof does not own suitable ground for another opening, such owner may select appropriate adjacent surface ground for that purpose, and have the same condemned, and appropriate the same by proceedings in the county court of the county where the mine is situate, similar to proceedings now allowed by law for securing a private passway.

SECTION 11, (as amended by chapter 875, acts of 1887-'88). The owner, agent, or lessee of every coal mine, whether slope, shaft, or drift, to which this act applies, shall provide and maintain for every such mine an amount of ventilation of not less than one hundred cubic feet of air per minute per person employed in such mine, which shall be circulated and distributed throughout the mine in such a manner as to dilute, render harmless, and expel the poisonous and noxious gases from each and every working place in the mine, and no working place shall be driven more than sixty feet in advance of a break-through or air-way; and all break-throughs or air-ways, except those last made near the working face of the mine, shall be closed up and made air-tight by brattice, trap-doors, or otherwise, so that the currents of air in circulation in the mine may sweep to the interior of the excavations where the persons employed in the mine are at work; and all mines governed by this statute shall be provided with artificial means of producing ventilation, such as suction or forcing fans, exhaust steam, furnaces, or other contrivances of such capacity and power as to produce and maintain an abundant supply of air. All mines generating fire damp shall be kept free from standing gas, and every working place shall be carefully examined every morning with a safety lamp by a competent person or persons before any of the workmen are allowed to enter the mine. And at every mine operated by a shaft, there shall be provided an approved safety catch, and a sufficient cover overhead, on all cages used for lowering and hoisting persons, and at the top of every shaft a safety gate shall be provided, and an adequate brake shall be attached to every drum or machine used for lowering or raising persons in all shafts and slopes.

SECTION 12. Coal mines in which not more than five persons are employed at one time shall be exempt from the provisions of this act.

[Added by section 6, chapter 875, acts of 1887-'88:]

Any person employed in any mine governed by this statute, who intentionally and wilfully neglects or refuses to securely prop the roof of any working place under his control, or neglects or refuses to obey any order given by the superintendent of the mine in relation to the security of that part of the bank where he is at work, and whoever knowingly and wilfully does any act endangering the lives or health of the persons employed in a mine, or the security of the mine or machinery, shall be liable to a fine of not less than ten dollars nor more than fifty dollars, to be collected by indictment by the grand jury of the county in which the mine is situate.

ACTS OF 1885-'86.

CHAPTER 1219.—*Exemption from execution, etc.—Personal property.*

SECTION 1. The following property shall be exempt from execution, attachment, distress or fee bill, namely: Two work beasts or one work beast and one yoke of oxen; two plows and gear: one wagon and set of gear, or cart or dray; two axes, three hoes, one spade, one shovel; two cows and calves; beds, bedding and furniture sufficient for family use: one loom and spinning wheel, and pair of cards; all the spun yarn and manufactured cloth manufactured by the family necessary for family use; carpeting for all family rooms in use; one table; all books, not to exceed fifty dollars in value; two saddles and their appendages; two bridles; six chairs, or so many as shall not exceed ten dollars in value; one cradle; all the poultry on hand; ten head of sheep, not to exceed twenty-five dollars in value; all wearing apparel, sufficient provisions, including breadstuff and animal food to sustain the family for one year; if not on hand, other personal property, money or growing crops, not to exceed forty dollars in value for each member of the family; provender suitable for live stock, if there be any such stock, not to exceed seventy dollars in value; and if such provender be not on hand, such other property as shall not exceed such sum in value; all washing apparatus, not to exceed fifty dollars in value; all arms, ammunition and equipments of a militiaman; one sewing machine and all family portraits and pictures; one cooking stove and appendages, and other cooking utensils not to exceed in value twenty-five dollars.

SECTION 2. A work beast exempted under this act shall not exceed in value one hundred and fifty dollars, and a cow and calf exempted under it shall not exceed in value sixty dollars. If the officer making the levy believes said animals when levied on exceed said respective sums in value, or if the plaintiff in the writ levied by the officer demands it, the officer shall have the animals appraised by two disinterested housekeepers of the county, one to be selected by the officer and the other by the defendant, and in case of disagreement, then the two shall select a third, who shall be sworn by the officer to discharge the duties of appraisers as required by law in the appraisement of real estate to be sold under execution; and if it shall appear by such appraisement such animals have a greater value than the amounts above specified, then such animals shall be sold and the defendant allowed out of the proceeds of sale of each animal the sums above specified respectively. The officer shall return the appraisement with the writ under which he was acting.

SECTION 3. The tools, not exceeding one hundred dollars in value, of any mechanic, are exempt from levy under execution, attachment, distress for rent or fee bills. If, however, a mechanic claims the benefit of this section, there shall be but one work beast exempt in his favor. For the purpose of carrying out the provisions of this section the officer making the levy shall, before he proceeds to sell, ascertain, by the judgment of two discreet, disinterested housekeepers selected and sworn by him, the value of the tools, and set apart for the defendant such as may be selected by him or his agent, not to exceed in amount one hundred dollars, and may sell the residue. If there be not more than that amount in value, then all the tools shall be set apart to the defendant. A list of the tools so set apart shall be returned by the officer with the process.

SECTION 4. The libraries of all ministers of the gospel, and the professional libraries of attorneys at law; the professional libraries and instruments of physicians and surgeons, not to exceed in value five hundred dollars, shall be exempt from execution, attachment, distress for rent or fee bills: *Provided*, That such ministers, lawyers, physicians, and surgeons shall be entitled to only one work beast, and to no wagon, cart or dray.

SECTION 5. The wages not to exceed fifty dollars, of all persons who work for wages, shall be exempt from execution, attachment, distress for rent, garnishment or fee bills: *Provided*, That the exemption of fifty dollars shall not apply to debts contracted for food, raiment or house rent for the family.

SECTION 6. The exemption mentioned in this act shall apply only to persons with a family resident in this Commonwealth, and shall be in force from and after the first day of June, 1886; and to all debts contracted before that time the present law of exemptions shall apply.

CHAPTER 1233, ARTICLE 1.—*Exemption from taxation.*

SECTION 9. The following property shall be exempt from taxation:

* * * * * * *

3. Cattle of the value of fifty dollars; all crops that are raised in the year in which the assessment is made; articles manufactured in the family for family use; all poultry raised for family use, and the provisions on hand for family use.

* * * * * * *

CHAPTER 1251.—*Weighing coal at mines.*

SECTION 1. When a majority of the miners engaged in digging or mining coal at any coal mine in this State at which as many as twenty men are employed, request the owner or owners or operator or operators of any of said mines to allow said miners to employ, at their own expense, a person to inspect the scales at said mine and see that the coal digged and mined by said miners is properly weighed and accounted for, and do and perform such other duties as will insure that said coal is properly weighed and correctly accounted for, said owner or owners or operator or operators shall permit such person to be employed by said miners making the request: *Provided*, The person so employed has the reputation of being an honest, trustworthy, discreet and upright man. The appointment under the provisions of this act of each inspector and assistant weigher shall be approved by the judge of the county court of the county wherein the same is made.

SECTION 2. The person appointed and employed by miners to perform the duties set forth in the first section of this act shall at all times have free access to the scales at the miners [mines], and the said person so employed by the miners shall not be hindered or prevented from a proper performance of his duties by the person who weighs coal for the operator or operators of any mines, nor any of the agents or employés of said operator or operators. Said person employed by the miners shall in no way prevent the weighman or other employés of said operator or operators from performing their duties in a proper manner.

SECTION 3. Any person violating any of the provisions of this act shall be fined not less than ten nor more than fifty dollars, and each day on which any of the provisions of this act is violated shall constitute a separate offense.

CHAPTER 1271.—*Convict labor.*

SECTION 3. * * * They [the commissioners of the sinking fund, *ex-officio* directors of the penitentiary at Eddyville] shall * * * give notice, by advertisement * * * that they will, on and until a day to be named therein, receive sealed proposals for the hiring of the labor of all convicts in the said penitentiary, to be worked within the walls thereof, except such number as the said directors may permit to be employed outside in producing or procuring such material as may be required for consumption or manufacture within the prison, * * *. Such letting shall be for such period of time as said directors may deem most advantageous to the State, not exceeding ten years; * * * If the said directors shall fail to secure such bid under the foregoing provision as they may deem best to accept, they may, by private contract, * * * let to hire the convict labor, to be employed within the walls of said penitentiary, for such period of time, not exceeding ten years, as in their judgment the best interests of the Commonwealth may require; and in making any such contract they are authorized to include all the labor to be employed in the penitentiary at Frankfort on the same terms, for the same period of time, * * * to take effect immediately upon the termination of the present lease. * * *

SECTION 4. If the directors shall fail to let or hire the labor of the convicts, as hereinbefore provided, they may, in their discretion, defer the withdrawal of the convicts until such time as arrangements can be made for employing them inside the penitentiary at Eddyville, under the auspices of the Commonwealth; and to that end they are hereby authorized * * * to make all necessary contracts for providing machinery, implements and materials therefor, and for the disposition of all manufactured articles, * * *.

SECTION 11. * * * all acts or parts of acts permitting the leasing or hiring of convicts outside the walls of the penitentiary be, and the same are hereby, repealed.

ACTS OF 1887-'88.

CHAPTER 1529.—*Convict labor.*

PREAMBLE. Whereas, by existing laws, certain classes of convicts are hired or leased * * * to be worked outside of the prison walls; and whereas, it is the sense of this legislature that the present system of working convicts outside the walls of the penitentiary in competition with free labor it is unjust to the great labor interests of the State and in violation of the spirit of our penal laws; therefore, * * * ;

SECTION 1. The governor is hereby authorized and directed to advance, with all reasonable rapidity, the construction and completion of the Eddyville prison, * * *

SECTION 2. With a view to accomplishing this end as speedily as may be possible, * * * the governor is hereby authorized * * * to consider bids from persons to contract * * * for a lease of said prison, * * *. He may contract with such parties, being the lowest and best bidders, for a term of years not greater than ten, and only on such terms as will, at least, relieve the State of all further expense in completing this prison and equipping it with the necessary machinery for the steady and constant employment of at least four hundred convicts; * * *

SECTION 5. If, however, it is found that a contract cannot be effected by which the State can be saved of all further cost, then the governor shall make, by partial work upon the buildings and temporary structures, the best arrangement in his power whereby the confinement of four hundred prisoners and their steady employment therein can be secured, * * *

ACTS OF 1889-'90.

CHAPTER 823.—*Trade-marks of trade unions, etc.*

SECTION 1. Every union or association of working men or women adopting a label, mark, name, brand, or device intending to designate the products of the labor of members of such union or association of working men or women, shall, in order to obtain the benefits of this act, file duplicate copies of such label, mark, name, brand or device in the office of the secretary of state, who shall, under his hand and seal, deliver to the party filing or registering the same, a certified copy, and a certificate of the filing thereof, for which he shall receive a fee of one dollar.

SECTION 2. Every union or association of working men or women, adopting such label, mark, name, brand or device, and filing the same as specified in the first section of this act, may proceed by suit in any of the courts of record in the State, to enjoin the manufacture, use, display or sale of counterfeits or colorable imitations of such labels, mark, name or device, or of goods bearing the same, and the courts having jurisdiction of the parties, shall grant an injunction restraining such wrongful manufacture, use, display or sale of such counterfeits or colorable imitations and of goods bearing the same, and shall award to the complainants such damages resulting from such wrongful manufacture, use, display or sale as may be proved, and shall require the defendant to pay to the complainants the profits derived from such wrongful manufacture, use, display or sale, or both profits and damages.

SECTION 3. In like manner the courts of record of this State shall, in a suit brought by a union or association of working men or women, restrain by injunction, every unauthorized use or display by others of the genuine labels, marks, names, brands, or devices, registered in the manner specified in the first section of this act, in all cases where such use or display is not authorized by the owner or owners thereof, and shall award damages and profits in such cases the same as in cases of the use of counterfeited labels, marks, names, brands, or devices.

SECTION 4. In no case shall the certificate from the secretary of state, obtained in conformity with the first section of this act, be assignable by the party to whom the same is issued.

LOUISIANA.

CONSTITUTION.

LOCAL OR SPECIAL LAWS REGULATING LABOR, ETC., NOT TO BE PASSED.

ARTICLE 46. The general assembly shall not pass any local or special laws on the following specified objects: * * * Regulating labor, trade, manufacturing or agriculture.

Price of manual labor.

ARTICLE 49. No law shall be passed fixing the price of manual labor.

Mechanics' liens.

ARTICLE 175. The general assembly shall, at its first session, pass laws to protect laborers on buildings, streets, roads, railroads, canals and other similar works, against the failure of contractors and sub-contractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done responsible for their ultimate payment.

Exemption from taxation.

ARTICLE 207. * * * There shall also be exempt from taxation household property to the value of five hundred dollars. * * *

Exemption from execution, etc.

ARTICLE 219. There shall be exempt from seizure and sale, by any process whatever, except as herein provided, the homesteads *bona fide* owned by the debtor and occupied by him, consisting of lands, buildings and appurtenances, whether rural or urban; of every head of family, or person having a mother or a father, a person or persons dependent on him or her for support; also, one work horse, one wagon or cart, one yoke of oxen, two cows and calves, twenty-five head of hogs, or one thousand pounds of bacon or its equivalent in pork, whether these exempted objects be attached to a homestead or not; and on a farm the necessary corn and fodder for the current year, and the necessary farming implements to the value of two thousand dollars: *Provided*, That in case the homestead exceeds two thousand dollars in value the beneficiary shall be entitled to that amount in case a sale of the homestead under any legal process realizes more than that sum. No husband shall have the benefit of a homestead whose wife owns and is in the actual enjoyment of property or means to the amount of two thousand dollars. Such exemptions to be valid shall be set apart and registered as shall be provided by law. The benefit of this provision may be claimed by the surviving spouse or minor child or children of a deceased beneficiary, if in indigent circumstances.

ARTICLE 220. Laws shall be passed as early as practicable for the setting apart, valuation and registration of property claimed as a homestead. Rights to homesteads or exemptions under laws or contracts, or for debts existing at the time of the adoption of this constitution, shall not be impaired, repealed or affected by any provisions of this constitution or any laws passed in pursuance thereof. No court or ministerial officer of this State shall ever have jurisdiction or authority to enforce any judgment, execution or decree against the property set apart for a homestead, including such improvements as may be made thereon from time to time: *Provided*, The property herein declared to be exempt shall not exceed in value two thousand dollars. This exemption shall not apply to the following cases, to wit: 1, for the purchase price of said property or any part thereof; 2, for labor and material furnished for building, repairing or improving homesteads; 3, for liabilities incurred by any public officer or fiduciary, or any attorney at law, for money collected or received on deposit; 4, for lawful claims for taxes or assessments.

ARTICLE 221. The owner of a homestead shall at any time have the right to supplement his exemption by adding to an amount already set apart, which is less than the whole amount of exemption herein allowed, sufficient to make his homestead and exemption equal to the whole amount allowed by this constitution.

VOORHIES' REVISED LAWS OF 1870—SECOND EDITION.

Protection of employés as voters.

(Page 150.)

SECTION 902. Any planter, manager, overseer or other employer of laborers in this State, who shall, previous to the expiration of the term of service of any laborer in their employ or under their control, discharge from their employ any laborer or laborers on account of their political opinions, or who shall attempt to control the suffrages or votes of such laborers, by any contract or agreement whatever, entered into at any time with such laborers, shall pay a fine of not less than one hundred dollars nor more than five hundred dollars, to be recovered before any court of competent jurisdiction; and it shall be the duty of the district attorney for the judicial district, or the district attorney *pro tempore* of the parish in which such offender resides, to institute such suit in the name of the parish of the offender's residence, and he shall be entitled to twenty-five per cent of the amount of all fines he may so recover as his fees in the case, and the balance shall be paid to the treasurer of the common-school fund of such parish, for the use of common schools in such parish; and upon due conviction for any such offense, such offender shall be imprisoned not exceeding one year.

Intimidation of crew of steamboat.

(Page 160.)

SECTION 944. Any person or persons who may, by violence or threats or in any manner intimidate and prevent another from shipping upon any steamboat within this State, or who shall thus interfere with or prevent any person who is one of the crew of a steamboat from discharging his or her duty, or unlawfully interfere with any laborer who may be taking on board or discharging cargo from a steamboat within the State of Louisiana, shall be deemed guilty of a misdemeanor, and, upon conviction before any justice of the peace of this State or recorder of the city of New Orleans, be fined not less than twenty dollars and costs of prosecution, and imprisoned not less than twenty days in the parish jail.

Abandonment of steamboat by employés.

(Page 160.)

SECTION 945. Any person who may ship upon a steamboat in the customary manner to do service on said boat, either by the month or voyage, in the capacity of an officer, engineer, pilot, clerk, mate, carpenter, cook, steward, cabin boy, watchman, fireman, deck hand or laborer, who may abandon the boat before having fulfilled his engagements, or who may refuse to do his duty in the capacity for which he shipped or engaged to perform, before the completion of the voyage or the term of his engagement, without lawful cause, shall, besides forfeiting all claims to the wages due for such service, be liable to the owner or owners of said steamer for any damages which they may sustain by said abandonment or refusal to do duty.

Exemption from execution, etc.

(Page 256.)

SECTION 1691. In addition to the property and effects now exempt from seizure and sale under execution, one hundred and sixty acres of ground, and the buildings and improvements thereon occupied as a residence, and bona fide owned by the debtor, having a family, or mother, or father, or person or persons dependent on him for support; also one work horse, one wagon or cart, one yoke of oxen, two cows and calves, twenty-five head of hogs or one thousand pounds of bacon, or equivalent in pork, and, if a farmer, the necessary quantity of corn and fodder for the current year: *Provided*, That the property herein declared to be exempt from seizure and sale does not exceed in value two thousand dollars, and, in case of excess, any sale thereof under execution shall be taken from the lot of ground and buildings herein mentioned, and not from the other property herein mentioned as being exempt from seizure and sale: *And provided further*, That no debtor shall be entitled to the exemption provided for in this section

whose wife shall own, in her own right, and be in the actual enjoyment of property worth more than one thousand dollars.

SECTION 1692. No property shall, by virtue of this act, be exempt from sale for non-payment of taxes or assessments levied pursuant to law, nor for debt contracted for the purchase price of said exempted property, nor for money due for rents, bearing a privilege on said property under existing laws.

Convict labor.

(Page 444.)

SECTION 2855. The convicts may be employed in such manufacturing, mechanical and other labor as the lessees [of the penitentiary] may deem proper, but no convict shall be employed without the walls of the penitentiary.

VOORHIES' REVISED CIVIL CODE OF 1870—EDITION OF 1887.

Wages preferred on claims against movables.

(Page 379.)

ARTICLE 3191. The debts which are privileged on all the movables in general, are those hereafter enumerated, and are paid in the following order:

1. Funeral charges.
2. Law charges.
3. Charges, of whatever nature, occasioned by the last sickness, concurrently among those to whom they are due.
4. The wages of servants for the year past, and so much as is due for the current year.

ARTICLE 3216. The privileges enumerated [above] * * * extend to all the movables of the debtor, without distinction.

VOORHIES' CODE OF PRACTICE—THIRD EDITION.

Exemption from execution, etc.

(Page 174.)

SECTION 644. The sheriff or constable cannot seize the linen and clothes belonging to the debtor or his wife, nor his bed, nor those of his family; nor his arms and military accoutrements; nor the tools and instruments and books, sewing machines necessary for the exercise of his or her calling, trade or profession by which he makes a living; nor shall he in any case seize the rights of personal servitude, of use and habitation, of usufruct to the estate of a minor child; nor the income of dotal property; nor money due for the salary of an officer, nor wages, nor recompense for personal services, nor household and kitchen furniture to the value of six hundred dollars.

SECTION 645. Nor can he seize the agricultural implements, and working cattle, separately from the land to which they are attached; nor the corn, fodder, hay, provisions, and other supplies necessary for carrying on the plantation to which they are attached, for the current year. And in addition to the property and effects exempted as aforesaid, there shall also be exempted from seizure and sale, under execution, one hundred and sixty acres of ground, and the buildings and improvements thereon, occupied as a residence, and bona fide owned by the debtor having a family, or mother, or father, or person or persons dependent upon him for support; also, one work horse, one wagon or cart, one yoke of oxen, two cows and calves, twenty-five head of hogs or one thousand pounds of bacon, or equivalent in pork; and in a farm, the necessary quantity of corn and fodder for the current year: *Provided*, That the property herein declared to be exempt from seizure and sale does not exceed in value two thousand dollars, and in case of excess, any sale thereof under execution shall be taken from the lot of ground and buildings herein mentioned, and not from the other property herein mentioned as being exempt from seizure and sale: *And provided further*, That no debtor shall be entitled to the exemption provided for in this section, whose wife shall own, in her own right and be in the actual enjoyment of, property worth more than one thousand dollars: *And provided further*, That no property shall be exempt from sale, by virtue of this provision, for non-payment of taxes or assessments levied pursuant to law, nor for debt contracted for the purchase price of said exempted property, nor for money due for rents, bearing a privilege on said property under existing laws.

ACTS OF 1873—REGULAR SESSION.

Suits for wages.

(Act No. 92.)

SECTION 1. From and after the passage of this act, in all parishes of the State it shall be lawful for mechanics, laborers and others doing work on the plantation or plantations of the non-resident proprietors thereof to institute suit for the recovery of their wages, labor, work or portion of the crop, as the case may be, against the non-resident proprietors of said plantation in the parish in which said labor or work was done and performed.

SECTION 2. In all cases where suits are to be instituted it shall only be necessary to make service of the copy of citation and petition upon the agent, overseer, manager or other person having control, management or administration of said plantation, and in the employ of the said non-resident proprietor.

ACTS OF 1874—REGULAR SESSION.

Suits for wages.

(Act No. 25.)

SECTION 1. In all cases instituted before any court of this State by a laborer or laborers upon any farm or plantation for the recovery of his or their wages, it shall be legal and competent for the judge, upon application of either plaintiff or defendant, to try the suit either in chambers or in open court after three days' service of citation.

SECTION 2. In case of appeal from any judgment so rendered either plaintiff or defendant shall be entitled to have the case tried *de novo* in the appellate court, either in chambers or in open court, and all appeals in such cases shall be returnable to the appellate court within three days after rendition and signing of judgment.

Unlawful employment of sailors.

(Act No. 73.)

SECTION 1. It shall be unlawful for any captain, master or mate of any seagoing vessel, or for any stevedore, to employ sailors at work on the levees in the State of Louisiana not strictly belonging to and included in regular sailor's duty, as defined and prescribed by the maritime law governing the employment and duty of sailors.

SECTION 2. Any captain, master or mate of any seagoing vessel who shall thus unlawfully employ any sailor within the jurisdiction of this State, or who shall by threats, punishment or duress, force any sailor thus to be employed, shall for each offense on conviction thereof be punished by a fine of not less than fifty dollars, or imprisonment for not less than one month, or both, at the discretion of the court.

SECTION 3. Any stevedore who shall work or connive at the working of any sailor thus employed shall be punished as provided for in section two of this act.

SECTION 4. All officers of the State or of the city of New Orleans are hereby prohibited from enforcing by capture, arrest or otherwise any unlawful employment of sailors as above prohibited.

SECTION 5. No captain, master or mate of any seagoing vessel who shall thus unlawfully employ any sailor, shall have the benefit of any law of the State or ordinance of the city of New Orleans heretofore enacted or that shall be enacted for the protection or assistance of captains, masters or mates in the enforcement of their contracts with sailors as against the sailor thus unlawfully employed.

ACTS OF 1875—REGULAR SESSION.

Convict labor.

(Act No. 22.)

SECTION 1. Hereafter it shall not be lawful for the lessees of the State penitentiary to employ the convicts of said penitentiary on any public or contract *work outside of* the walls of the State penitentiary; but that hereafter all con*victs shall be detained* and kept at hard labor, if so sentenced, within the walls *of the State penitentiary.*

SECTION 2. Hereafter it shall be deemed a misdemeanor for any person or persons who shall take convicts without the walls of the State penitentiary for the purpose of performing any labor of any kind whatsoever, and on conviction thereof said person or persons shall be fined a sum not exceeding one thousand dollars, and imprisoned not exceeding two years; and the lessee or lessees permitting the same to be done shall *ipso facto* forfeit their lease; and pay a fine of not less than five thousand dollars.

ACTS OF 1878—REGULAR SESSION.

Convict labor.

(Act No. 38.)

SECTION 1. In all criminal prosecutions where any person is convicted in any of the courts of this State of any crime or offense punishable under the law with imprisonment at hard labor, but not necessarily so, the judge before whom such conviction is had may sentence the person so convicted to work on the public works, roads, or streets of the parish or city in which the crime or offense has been committed, and which may eventually be chargeable with the costs of the prosecution, and for a term not exceeding the term now specified under existing laws: *Provided*, That when a fine, in said cases, is imposed as a part of the penalty, in default of the payment of such fine and the costs, the judge may enforce the liquidation thereof by sentence of additional labor at the rate of one dollar per diem.

SECTION 2. In the city of New Orleans the city council, and in the several parishes the police jury are hereby delegated full authority to pass all ordinances and laws which they may deem necessary to carry into effect the provisions of this act and for the discipline, working, and employment of such convicts: (*Provided*), That no police jury shall have power to pass any ordinance to cause any person so convicted to wear a ball and chain, or any other sign or symbol of degradation, and that the person so convicted shall not be worked more than ten (10) hours a day, and shall not, in any case, be put at work before six o'clock in the morning: (*Provided*), That such convicts shall not be employed out of the parish having venue of the crime or offense; or in any other labor than upon the public works, bridges, roads, or streets of the parish or city, or in such workhouses as they may establish.

ACTS OF 1880—REGULAR SESSION.

Unlawful employment of sailors.

(Act No. 76.)

SECTION 1. No sailor or portion of the crew of any foreign seagoing vessel shall engage in working on the wharves or levees of the city of New Orleans beyond the end of the vessel's tackle.

SECTION 2. Any officer, sailor or member of the crew of a foreign seagoing vessel, violating section one of this act, shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned not more than ten days.

SECTION 3. The provisions of this act shall not apply to the officers, sailors or others of the crew of foreign vessels hailing from countries having any treaty or treaties with the United States to the contrary, nor to any contract or contracts of which the United States courts have jurisdiction.

ACTS OF 1882—REGULAR SESSION.

Erection of bridge guards by railroads.

(Act No 39.)

SECTION 1. All railroads now operating in the State of Louisiana, or which may hereafter operate in said State shall, at a point not less than one hundred and fifty feet from either approach of their bridges, cause stands to be erected, and from the same cause to be hung across the entire width of their track light ropes, properly knotted and hanging so low as to absolutely touch the head or body of any train hand in ample time to notify him of his near approach to the bridge, and enable him to take the necessary precautionary means to avoid the possibility of injury.

SECTION 2. The provisions of this act shall be carried out by the railroads now operating in this State within the next ninety days, and by railroads to be hereafter constructed before they go into operation.

SECTION 3. In the event any railroad company should fail or refuse to comply with the provisions and requirements of this act, that the Governor shall, through the Attorney-General of the State, cause such company to be enjoined from operating or running any trains in this State until said provisions and requirements are complied with.

ACTS OF 1886—REGULAR SESSION.

Sunday labor.

(Act No. 18.)

SECTION 1. All stores, shops, saloons, and all places of public business, which are or may be licensed under the law of the State of Louisiana, or under any parochial or municipal law or ordinance, and all plantation stores, are hereby required to be closed at twelve o'clock on Saturday nights, and to remain closed continuously for twenty-four (24) hours, during which period of time it shall not be lawful for the proprietors thereof to give, trade, barter, exchange or sell any of the stock or any article of merchandise kept in any such establishment.

SECTION 2. Whosoever shall violate the provisions of this act, for each offense, shall be deemed guilty of a misdemeanor, and on trial and conviction, shall pay a fine of not less than twenty-five dollars, nor more than two hundred and fifty dollars, or be imprisoned for not less than ten days nor more than thirty days, or both, at the discretion of the court; provisions of this act shall not apply to newsdealers, keepers of soda fountains, places of resort for recreation and health, watering places and public parks, nor prevent the sale of ice.

SECTION 3. The provisions of this act shall not apply to newspaper offices, printing offices, bookstores, drugstores, apothecary shops, undertaker shops, public and private markets, bakeries, dairies, livery stables, railroads, whether steam or horse, hotels, boarding houses, steamboats and other vessels, warehouses for receiving and forwarding freights, restaurants, telegraph offices and theatres, or any place of amusement, provided no intoxicating liquors are sold on the premises: *Provided*, That stores may be opened for the purpose of selling anything necessary in sickness and for burial purposes, * * *.

Employment, hours of labor, etc., of women and children.

(Act No. 43.)

SECTION 1. No boy under the age of twelve years, and no girl under the age of fourteen years, shall be employed in any factory, warehouse or workshop where the manufacture of any goods whatever is carried on, or where any goods are prepared for manufacturing.

SECTION 2. No child under the age of fourteen years shall be employed by any person to labor in any factory, warehouse, workshop, clothing, dressmaking or millinery establishment, or where any goods are manufactured or prepared for manufacturing, or attend itinerant musicians through the streets of any town or city within this State, unless such child shall have attended some public or private day school, where instruction was given by a teacher qualified to instruct in such branches as are usually taught in primary schools, at least four months of the twelve months next preceding the month in which such child shall be so employed: *Provided*, That a certificate of such attendance from the director of the school district or principal of public or private school in which such child shall have so attended school, shall be evidence of a compliance with the provisions of this section, if acted upon by the employer in good faith. If any such director or principal shall knowingly make a false certificate, he shall be deemed guilty of a violation of this act, and shall be liable to the punishment hereinafter provided.

SECTION 3. Certificates given under the preceding section shall be deposited by the employer at the time of employing such child, and shall be kept by him on file in his office, and shall at all times be subject to inspection by the persons authorized to make inspections under this act.

SECTION 4. No child, or young person under the age of eighteen years, and no woman, shall be employed in any factory, warehouse, workshop, clothing, dressmaking or millinery establishment, or any place where the manufacture of any

kind of goods is carried on, or where any goods are prepared for manufacturing, for a longer period than an average of ten hours in a day, or sixty hours in any week, and at least one hour shall be allowed in the labor period of each day for dinner.

SECTION 5. Every person who shall employ any female in any factory, warehouse, workshop or store, shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SECTION 6. Any person who shall violate any of the provisions of this act shall be deemed to be guilty of an offense for each violation thereof, and, upon conviction for the same, shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the parish jail (parish prison in New Orleans) not more than thirty days, or both, in the discretion of the court.

SECTION 7. In all cities it shall be the duty of the superintendent or the chief officer of police, by suitable inspections, to see that the regulations of this act are observed, and also to prosecute all persons who shall violate the same. Such superintendent or chief officer of police shall detail such portion of the force under him as he shall deem necessary for the inspection, from time to time, of all the aforesaid places where such children or young persons may be employed. In towns, the mayor thereof shall perform the duties above imposed on the superintendent or chief officer of police in cities.

SECTION 9. The word "person," wherever used in this act, shall be deemed to mean corporations, as well as individuals.

SECTION 10. * * * Nothing contained in this act shall be construed to apply to domestic or agricultural laborers or industries.

Hours of labor—Street railways.

(Act No. 95.)

SECTION 1. Twelve consecutive hours' labor in twenty-four, with reasonable time for meals, shall constitute a day's labor in the operation of all street railroads owned or operated by corporations, incorporated under the laws of this State, whatever motive power may be used in the operation of such railroads.

SECTION 2. It shall be a misdemeanor for any officer or agent of any street railroad company to exact from any of its employés more than twelve consecutive hours' labor in the twenty-four, with one-half hour for dinner, constituting a day: *Provided, however*, That in cases of accident or unavoidable delay, extra labor may be permitted for extra compensation.

SECTION 3. Any officer or agent of any of the said street railroads, who shall have been convicted of violating the provisions of this act, shall be fined not more than fifty dollars, or suffer imprisonment in the parish prison or jail, as the case may be, for not more than two months, or both, at the discretion of the court; said fine to go to the benefit of the Charity Hospital of New Orleans.

ACTS OF 1888—REGULAR SESSION.

Fire-escapes on factories, etc.

(Act No. 97.)

SECTION 1. All buildings, except such as are used for private residences exclusively, in the city of New Orleans, of four or more stories in height, shall be provided with one or more metallic ladders or metallic fire-escapes, including from the first story to the upper stories of such buildings, and above the roof and on the outer walls thereof, in such location and numbers and of such material and construction as the mayor, chief engineer of the fire department of their respective districts, the city surveyor and chairman of the fire committee of the city council and commissioner of public buildings, or a majority of them may from time to time determine; after such determination shall have been made as aforesaid, the chief engineer of the fire department of said city may at any time, by a notice in writing served upon the owner or agent of any such building by leaving with such owner or agent, or at his residence or place of business, a copy of such notice, require such owner or agent to cause such building within thirty days after the service of such notice, require such owner or agent to cause such [*sic*] metallic ladder or fire-escape to be placed upon such building, within thirty days after the service of such notice: *Provided, however*, That all buildings more than two

stories in height, used for manufacturing purposes, shall have one metallic ladder for every twenty-five persons, or less, employed above the second story.

SECTION 2. In case such owner, or agent, so served with notice as aforesaid shall not, within thirty days after the service of such notice upon him, place, or cause to be placed, such metallic ladder or fire escape upon such building, as required by this article and the terms of such notice, he shall be subject to a fine not less than twenty-five nor more than two hundred and fifty dollars, and to a further fine of twenty-five dollars for each week of such neglect to comply with such notice after the service of the same. That the fines imposed for violation of this act shall be collected by any court of competent jurisdiction.

Convict labor.

(Act No. 121.)

SECTION 1. Hereafter whenever a prisoner sentenced to the parish prison of any parish of this State, the parish of Orleans included, by any court of competent jurisdiction, shall be willing of his own free will and accord to perform manual labor upon any of the public roads, or levees, or streets, or public buildings and improvements or public works inside or outside of the prison, the criminal sheriff of said parish shall set said prisoner to work upon such labor as shall be determined by the police juries of the several parishes and the municipal authorities of the several towns and cities: *Provided*, That such prisoners shall always remain under the custody and control of the several sheriffs.

SECTION 2. Any prisoner who shall thus consent to work shall have as many days taken off or remitted from his sentence corresponding with the number of days during which he shall have performed work in the manner above mentioned: *Provided*, That such days be computed at the rate of ten hours' work per day.

SECTION 3. The council of the city of New Orleans and the police juries of the several parishes are hereby authorized to pass all such ordinances which they may deem necessary to carry into effect the provisions of this act, and for the discipline, working and employment of such prisoners.

ACTS OF 1890.

Incorporation of trades unions, etc.

(Act No 50.)

WHEREAS, Trades Unions, Knights of Labor assemblies or lodges, Farmers' Alliances as now established in this State are intended to benefit and protect the interests of laboring men and to promote public welfare.

SECTION 1. Any Trades Unions, Knights of Labor assemblies or lodges, Farmers' Alliances, or any similar organizations as now established in this State or as may hereafter be established for similar purposes, may form themselves into incorporate bodies: *Provided*, That no less than six members or persons comply with the requirements of section six hundred and seventy-seven of the Revised Statutes, relative to the organization of corporations for literary, scientific, religious and charitable purposes, and all acts amendatory thereof, and the provision of section 677 of the Revised Statutes and acts amendatory thereof, shall apply to and include all corporations organized under the provisions of this act.

Convict labor.

(Act No. 114.)

SECTION 1. The lease now existing and in force by authority of act number fifty-five approved March the fifth, A. D. one thousand eight hundred and sixty-nine; and amended and re-enacted by act fifty-six, approved March the third, A. D. one thousand eight hundred and seventy be and the same is hereby renewed and extended for and during the term of ten years from the expiration of the existing lease, March the third, A. D. one thousand eight hundred and ninety-one at an annual rental of fifty thousand dollars net payable in advance: *Provided*, That the lessee be and is authorized to employ the convicts in working on levees, railroads and other works of public improvement and is at no time or manner to sublease or hire to any other person any convict or gang of convicts for the purpose of plantation or farm work.

SECTION 2. It shall be the duty of the Governor, and he is hereby authorized to contract with S. L. James as lessee, to carry out the provisions of this act: *Provided*, That the convict labor may be employed upon all public works, such as building and repairing levees, railroads, canals etc., but under no circumstances shall they be hired, sublet, or rented out, or used by the lessee himself in the cultivation planting or gathering of any agricultural crop, such as rice, sugar, cotton or corn, it being the object of the State herein expressed that the convict labor shall be used only in and on public works and improvements, and not in agricultural pursuits, and any attempt to so use them shall forfeit the lease, and it shall be the duty of the Governor, where proof of the same is brought to his attention, to take possession of the convicts and declare this lease forfeited: *Provided*, That nothing herein contained shall prevent the lessee from using ten male convicts in the cultivation, gathering and shipping vegetables, and butchering, herding and shipping beef to the other convicts: *And provided further*, That this prohibitory clause shall not apply to the female convicts, who can be hired for or used in agricultural purposes, and to young and disabled convicts, but in no case shall they be sublet or hired to third parties, it being the intent of this act that said exempted persons can only be employed by the lessee.

Factories, workshops, etc.—Health of employés.

(Act No. 123.)

SECTION 1. The board of health of the State of Louisiana be and the same is hereby authorized to enact from time to time all needful rules and regulations for the better protection of the health of operatives and employés, working in manufactories, workshops, laboratories and other places in which substances, materials, or compounds, poisonous in their nature, or otherwise injurious to the health of said operatives or employés are used, manufactured, compounded, prepared or handled.

SECTION 2. Said rules and regulations when so adopted by the board of health, shall be observed and complied with by the owners, and proprietors of said manufactories, workshops, laboratories, or other places described in the first section of this act, as well as by all persons, superintendents, managers, foremen, lessees or sublessees in charge of such establishments, within twenty (20) days after being served by the board of health, with a copy of said rules and regulations, and a notice to comply therewith.

SECTION 3. Any person failing to comply with the provisions of this act, or the rules and regulations thereunder, or violating the provisions thereof, shall be fined twenty-five (25) dollars or be imprisoned in the parish jail not more than ten days, for each and every offense.

Enforcement of labor contracts.

(Act No. 138.)

SECTION 1. Whoever shall wilfully violate a contract upon the faith of which money or goods have been advanced and without first tendering to the person from whom said money or goods were obtained the amount of money or value of the goods, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than fifty dollars nor more than two hundred dollars, and in default of payment thereof with costs shall be imprisoned in the parish jail not less than ten days nor more than thirty days at the discretion of the court.

SECTION 2. If any one shall wilfully interfere, entice away, knowingly employ or induce a laborer * * *, before the expiration of his contract, as herein provided, to leave his employer * * * before the expiration of his contract, shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than fifty dollars nor more than two hundred, for each person so enticed or employed and shall be liable in double the amount of damages in a civil action which such employer * * * may suffer by such abandonment.

SECTION 3. If any person availing himself of the provisions of this act, shall falsely or fraudulently cause an arrest to be made, or with the intent to unlawfully and wrongfully detain any laborer or person, he shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than $250.00 nor more than $500.00, at the discretion of the court, and in default of the payment of said fine and costs he shall be imprisoned for not less than thirty nor more than sixty days.

MAINE.

REVISED STATUTES OF 1883.

CHAPTER 6.—*Exemption from taxation.*

SECTION 6. The following property and polls are exempt from taxation:

* * * * * * *

III. The household furniture of each person, not exceeding two hundred dollars to any one family, his wearing apparel, farming utensils, mechanics' tools necessary for his business, and musical instruments not exceeding in value fifteen dollars to one family.

* * * * * * *

V. All mules, horses, neat cattle, swine and sheep, less than six months old.

VI. Hay, grain and potatoes, orchard products and wool, owned by, and in possession of the producer.

* * * * * * *

CHAPTER 26.—*Fire escapes on factories, etc.*

SECTION 26. * * * Every building in which any trade, manufacture, or business is carried on, requiring the presence of workmen or other persons above the first story, * * * shall at all times be provided with suitable and sufficient fire escapes, outside stairs, or ladders from each story or gallery above the level of the ground, easily accessible to all inmates in case of fire or of an alarm of fire; the sufficiency thereof to be determined as provided in the following section.

SECTION 27. In towns or parts of towns having no organized fire department, the municipal officers shall annually make careful inspection of the precautions and safeguards provided in compliance with the foregoing requirements, and pass upon their sufficiency as to arrangement and number, and upon their state of repair; and direct such alterations, additions and repairs as they adjudge necessary. In towns, cities and villages having an organized fire department, the duties aforesaid shall be discharged by the board of fire engineers.

SECTION 28. Such municipal officers or fire engineers shall give written notice to the occupant of such building, also to the owner thereof, if known, of their determination as to the sufficiency of said precautions and safeguard, specifying in said notice any alteration, addition or repair which they require. Sixty days are allowed for compliance with such notice and order.

SECTION 29. Any owner or occupant who neglects to comply with such order, within the time so allowed, forfeits fifty dollars, besides five dollars for every day's continuance of such neglect; and the building or part of a building so occupied shall be deemed a common nuisance, without any other evidence than proof of its use; and the keeper shall be punished accordingly. Said officers may forbid the use of such building for any public purpose until their order has been complied with. And if the owner or occupant of said building lets or uses the same in violation of such order, he forfeits not less than twenty nor more than fifty dollars for each offence.

SECTION 30, (as amended by chapter 126, acts of 1887). Whenever the municipal officers or engineers, upon inspection, find that proper safeguards and precautions for escape in case of fire, or of alarm, have been provided, they shall give to the occupant of such building a certificate, under their hands, of such fact; which shall be valid for one year only from its date; * * *. Such officers shall return to the clerk's office of their town, monthly, a list of such certificates by them issued, which the clerk shall record in a suitable book.

SECTION 31, (as amended by chapter 126, acts of 1887). Every person receiving such certificate shall keep such certificate posted in such building. Such annual certificate, so posted, is prima facie evidence of the inspection of such building, and of the presence of such suitable safeguards and precaution. Every occupant of such building who neglects or refuses to procure such certificate, or to post the same as aforesaid, forfeits ten dollars for every week that he so neglects and refuses.

SECTION 32. Every municipal officer or fire engineer who refuses or neglects to perform the duties imposed upon him by the seven preceding sections forfeits *fifty* dollars.

CHAPTER 48.—*Employment, hours of labor, etc., of children.*

SECTION 13. No child shall be employed or suffered to work in a cotton or woollen manufactory without having attended a public school, or a private school taught by a person qualified to be a public teacher; if under twelve years of age, for four months, if over twelve and under fifteen, for three months, of the year preceding such employment. A certificate under oath of such teacher, filed with the clerk or agent before employment, is the proof of such schooling.

SECTION 14. Any owner, agent or superintendent of such manufactory, for each violation of the preceding section, forfeits one hundred dollars, to be recovered by indictment, half to the prosecutor and half to the town where the offence was committed, to be added to its school money. Superintending school committees shall inquire into such violations, and report them to the county attorney, who shall prosecute therefor.

SECTION 15. No person under the age of sixteen years shall be employed by any corporation for more than ten hours of a day. Whoever violates this provision forfeits one hundred dollars, half to the town where the offence is committed, and half to the person employed; to be recovered by indictment.

CHAPTER 51.—*Railroad companies to require security from contractors for payment of wages.*

SECTION 141. Every railroad company, in making contracts for the building of its road, shall require sufficient security from the contractors for the payment of all labor thereafter performed in constructing the road by persons in their employment; and such company is liable to the laborers employed, for labor actually performed on the road, if they, within twenty days after the completion of such labor, in writing, notify its treasurer that they have not been paid by the contractors. But such liability terminates unless the laborer commences an action against the company, within six months after giving such notice.

CHAPTER 61.—*Earnings of married women.*

SECTION 3. She [a married woman] may receive the wages of her personal labor, not performed for her own family, maintain an action therefor in her own name, and hold them in her own right against her husband or any other person.

CHAPTER 70.—*Wages preferred—In assignments.*

SECTION 40. In making a dividend * * *, the following claims shall first be paid in full, in their order:

I. The fees, costs and expenses of suits and proceedings in insolvency.

II. All debts and taxes due to the State or to any county, city or town therein, and to the United States, except debts due to the State in behalf of the State prison.

III. Wages due to any operative, clerk, or house servant, not exceeding fifty dollars, for labor performed within six months preceding the filing of the petition.

CHAPTER 78.—*Convict labor.*

SECTION 13, (as amended by section 1, chapter 288, acts of 1889.) They [the county commissioners] shall, at the expense of their several counties, unless county workshops are therein established, provide some suitable place, materials and implements for the breaking of stone into suitable condition for the building and repair of highways, and shall cause all persons sentenced [under the tramp-law] * * * to labor at breaking stone. And they may, at the expense of their several counties, provide suitable materials and implements sufficient to keep at work all persons committed to either of such jails, and may from time to time establish needful rules for employing, reforming and governing the persons so committed, for preserving such materials and implements, and for keeping and settling all accounts of the cost of procuring the same, and of all labor performed by each of the persons so committed, and may make all necessary contracts in behalf of their several counties.

CHAPTER 81.—*Exemption from execution, etc.—Personal property.*

SECTION 62, (as amended by chapter 64, acts of 1887). The following personal property is exempt from attachment and execution:

I. The debtor's apparel: household furniture necessary for himself, wife and children, not exceeding one hundred dollars in value and one bed, bedstead, and necessary bedding for every two such persons.

II. All family portraits, Bibles, and school books in actual use in the family; one copy of the statutes of the State, and a library not exceeding one hundred and fifty dollars in value.

III. All his interest in one pew in a meetinghouse where he and his family statedly worship.

IV. One cooking stove; all iron stoves used exclusively for warming buildings; charcoal, and not exceeding twelve cords of wood conveyed to his house for the use of himself and family; all anthracite coal, not exceeding five tons; all bituminous coal, not exceeding fifty bushels; and ten dollars' worth of lumber, wood or bark.

V. All produce of farms until harvested; one barrel of flour; corn and grain necessary for himself and family, not exceeding thirty bushels; all potatoes raised or bought for himself and family; and all flax raised on a half acre of land, and all articles manufactured therefrom for the use of himself and family.

VI. The tools necessary for his trade or occupation, materials and stock designed and procured by him and necessary for carrying on his trade or business and intended to be used or wrought therein, not exceeding fifty dollars in value, and one sewing machine not exceeding one hundred dollars, for actual use by himself or family.

VII. One pair of working cattle, or instead thereof one pair of mules or one or two horses not exceeding in value three hundred dollars, and a sufficient quantity of hay to keep them through the winter season. If he has more than one pair of working cattle, or mules, or if the two horses exceed in value three hundred dollars, he may elect which pair of cattle or mules or which horse shall be exempt. If he has a pair of mules or one or two horses so exempt, he may also have exempt for each of said horses or mules, one harness not exceeding twenty dollars in value; and one horse sled not exceeding the same value; but if he has at the same time an ox sled, he may elect which sled shall be exempt.

VIII. Domestic fowl, not exceeding fifty dollars in value, two swine, one cow, and one heifer under three years old, or if he has no oxen, horse or mule, two cows, and he may elect the cow or cows and heifer, if he has more than are exempt, ten sheep and the wool from them, and the lambs raised from them until they are one year old, and a sufficient quantity of hay to keep said cattle, sheep and lambs through the winter season.

IX. One plow, one cart or truck wagon or one express wagon, one harrow, one yoke with bows, ring and staple, two chains, one ox sled and one mowing machine.

X. One boat not exceeding two tons burden, usually employed in fishing business, belonging wholly to an inhabitant of the State.

CHAPTER 81.—*Exemption from execution, etc.—Homesteads.*

SECTION 63. A lot of land and dwelling-house and out-buildings thereon, the property of a householder in actual possession thereof and not the owner of an exempted lot purchased from the State, is exempt from attachment and levy on execution as provided in the following sections:

SECTION 64. Such person may file in the registry of deeds in the county or district where the land lies, a certificate signed by him, declaring his wish for such exemption and describing the land and buildings; and the register, for fifty cents, shall record it in a suitable book: and so much of such property as does not exceed five hundred dollars in value, is exempt from attachment or levy on execution issued on a judgment recovered for any debt, contracted jointly or severally by such person after the date of the recording thereof; and the record in the register's office is prima facie evidence that the certificate purporting to be there recorded, was made, signed, and filed as there appears.

SECTION 66. After his death, the exempted premises shall not be sold for payment of his debts during the widowhood of his widow, or the minority of any of his children; but may be occupied by his widow during her widowhood and by his children during minority, free from claim by any creditor of his estate. But this and the three preceding sections do not exempt such property from the lien of mechanics or material men.

CHAPTER 82.—*Hours of labor.*

SECTION 43. In all contracts for labor, ten hours of actual labor are a legal day's work, unless the contract stipulates for a longer time; but this rule does not apply to monthly labor or to agricultural employments.

CHAPTER 86.—*Exemption from garnishment, etc.—Wages.*

SECTION 55. No person shall be adjudged trustee:

* * * * * * *

VI. By reason of any amount due from him to the principal defendant, as wages for his personal labor, or that of his wife or minor children, for a time not exceeding one month next preceding the service of the process, and not exceeding twenty dollars of the amount due to him as wages for his personal labor; and this is not exempt in any suit for necessaries furnished him or his family; moreover, wages of minor children and of women, are not, in any case, subject to trustee process on account of any debt of parent or husband.

* * * * * * *

CHAPTER 123.—*Strikes of railroad employés.*

SECTION 6. Any employé of a railroad corporation who, in pursuance of an agreement or combination by two or more persons to do, or procure to be done, any act in contemplation or furtherance of a dispute between such corporation and its employés, unlawfully or in violation of his duty or contract, stops or unnecessarily delays or abandons, or in any way injures a locomotive or any car or train of cars on the railway track of such corporation, or in any way hinders or obstructs the use of any locomotive, car or train of cars on the railroad of such corporation, shall be punished by fine not exceeding five hundred dollars, or imprisonment in the State prison or in jail not exceeding one year.

SECTION 7. Whoever, by any unlawful act, or by any wilful omission or neglect, obstructs or causes to be obstructed an engine or carriage on any railroad or railway, or aids or assists therein; or whoever, having charge of any locomotive or carriage while upon or in use on any railway of any railroad corporation, wilfully stops, leaves or abandons the same, or renders, or aids or assists in rendering the same unfit for or incapable of immediate use, with intent thereby to hinder, delay, or in any manner to obstruct or injure the management and operation of any railroad or railway, or the business of any corporation operating or owning the same, or of any other corporation or person, and whoever aids or assists therein, shall be punished by fine not exceeding one thousand dollars, or imprisonment in the State prison or in jail not exceeding two years.

SECTION 8. Whoever, having any management of, or control, either alone or with others, over any railroad locomotive, car or train, while it is used for the carriage of persons or property, or is at any time guilty of gross carelessness or neglect on, or in relation to, the management or control thereof; or maliciously stops or delays the same, in violation of the rules and regulations then in force for the operation thereof; or abstracts therefrom the tools or appliances pertaining thereto, with intent thereby maliciously to delay the same, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the state prison or in jail not exceeding three years.

SECTION 9. Whoever, alone, or in pursuance or furtherance of any agreement or combination with others, to do, or procure to be done, any act in contemplation or furtherance of a dispute or controversy between a gas, telegraph, or railroad corporation and its employés or workmen, wrongfully and without legal authority, uses violence towards, or intimidates any person, in any way or by any means, with intent thereby to compel such person against his will to do, or abstain from doing, any act which he has a legal right to do or abstain from doing; or on the premises of such corporation, by bribery, or in any manner or by any means, induces, or endeavors or attempts to induce, such person to leave the employment and service of such corporation with intent thereby to further the objects of such combination or agreement; or in any way interferes with such person while in the performance of his duty; or threatens or persistently follows such person in a disorderly manner, or injures or threatens to injure his property with either of said intents, shall be punished by fine not exceeding three hundred dollars, or imprisonment not exceeding three months.

SECTION 10. Any person in the employment of a railroad corporation, who, in furtherance of the interests of either party to a dispute between another rail-

road corporation and its employés, refuses to aid in moving the cars of such other corporation, or trains in whole or in part made up of the cars of such other corporation, over the tracks of the corporation employing him; or refuses to aid in loading or discharging such cars, in violation of his duty as such employé, shall be punished by fine not exceeding five hundred dollars, or imprisonment in the state prison or in jail not exceeding one year.

CHAPTER 124.—*Sunday labor.*

SECTION 20. Whosoever, on the Lord's Day, keeps open his shop, workhouse, warehouse, or place of business, travels, or does any work, labor, or business on that day, except works of necessity or charity; * * * shall be punished by fine not exceeding ten dollars.

SECTION 23. No person conscientiously believing that the seventh day of the week ought to be observed as the Sabbath, and actually refraining from secular business and labor on that day, is liable to said penalties for doing such business and labor on the first day of the week, if he does not disturb other persons.

CHAPTER 126.—*Conspiracy.*

SECTION 18. If two or more persons conspire and agree together, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business, or property of another; or to do any illegal act injurious to the public trade, * * * they are guilty of a conspiracy, and every such offender, and every person convicted of conspiracy at common law, shall be punished by imprisonment for not more than three years, or by fine not exceeding one thousand dollars.

ACTS OF 1887.

CHAPTER 69.—*Bureau of industrial and labor statistics.*

SECTION 1. There is hereby established a separate and distinct department, which shall be called the bureau of industrial and labor statistics.

SECTION 2. It shall be the duty of this department to collect, assort, systematize, and present in annual reports to the governor * * * statistical details, relating to all departments of labor in the state, especially in its relations to the commercial, industrial, social, educational and sanitary condition of the laboring people; and to the permanent prosperity of the productive industries of the state, and also to inquire into the immediate causes of strikes, lock-outs, or other disturbances of the relations between employers and employés.

SECTION 3. The governor shall, with the advice and consent of the council, appoint * * * biennially * * * some suitable person, who is identified with the industrial and labor interests, and who shall be designated commissioner of industrial and labor statistics * * *.

SECTION 5. The commissioner shall have power to take and preserve evidence, examine witnesses under oath, and administer the same, and in the discharge of his duty, may enter any public institution of the state, and at reasonable hours when open for business, any factory, workshop, mine or other place where labor may be employed.

SECTION 6, (as amended by chapter 297, acts of 1889). All state, county, city, and town officers, are hereby directed to furnish to said commissioner upon his request, all statistical information in reference to labor and labor industries, which shall be in their possession as such officers, and said commissioner shall cause to be published and circulated in this state, six thousand copies annually of the results of its labors, as to the objects for which commission is created.

CHAPTER 134.—*Payment of wages.*

SECTION 1. Every manufacturing, mining, quarrying, stone-cutting, mercantile, horse railroad, telegraph, telephone and municipal corporation, and every incorporated express and water company, and any person or firm engaged in any of the above specified kinds of business, having in their employ more than ten persons, shall pay fortnightly each and every employé engaged in its business, the wages earned by such employé to within eight days of the date of said

payment; provided, however, that if at any time of payment, any employé shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter on demand.

SECTION 2. Any corporation violating any of the provisions of this act shall be punished by a fine not less than ten nor more than twenty-five dollars on each complaint under which it is convicted, provided, complaint for such violation is made within thirty days from the date thereof.

SECTION 3. When a corporation against which a complaint is made under this act, fails to appear after being duly served with process, its default shall be recorded, the allegations in the complaint taken to be true, and judgment rendered accordingly.

SECTION 4. When judgment is rendered upon any such complaint against a corporation, the court may issue a warrant of distress to compel the payment of the penalty prescribed by law, together with costs and interest.

SECTION 5. The provisions of this act shall not apply to municipal officers whose services are paid for by the day, or to teachers employed by municipal corporations.

CHAPTER 139.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. No female minor under eighteen years of age, no male minor under sixteen years of age, and no woman shall [be] employed in laboring in any manufacturing or mechanical establishment in this state, more than ten hours in any one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty in a week; and no male person sixteen years and over shall be so employed as above, more than ten hours a day during minority, unless he voluntarily contracts to do so with the consent of his parents, or one of them, if any, or guardian, and in such case he shall receive extra compensation for his services; *Provided, however*, Any female of eighteen years of age or over, may lawfully contract for such labor for any number of hours in excess of ten hours per day, not exceeding six hours in any one week or sixty hours in any one year, receiving additional compensation therefor; but during her minority, the consent of her parents, or one of them, or guardian, shall be first obtained.

SECTION 2. Every employer shall post in a conspicuous place in every room where such persons are employed, a notice printed in plain, large type, stating the number of hours work required of them on each day of the week, the exact time for commencing work in the morning, stopping at noon for dinner, commencing after dinner, and stopping at night; the form of such printed notice shall be furnished by the deputy commissioner of labor hereafter named, and shall be approved by the attorney-general. And the employment of any such person for a longer time in any day than that so stated, shall be deemed a violation of section 1, unless it appears that such employment is to make up for time lost on some previous day of the same week, in consequence of the stopping of machinery upon which such person was employed or dependent for employment.

SECTION 3. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any person in violation of the provisions of section 1, and every parent or guardian who permits any minor to be so employed, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense. A certificate of the age of a minor made by him and by his parent or guardian at the time of his employment, shall be conclusive evidence of his age in behalf of the hirer, upon any prosecution for a violation of the provisions of section 1. Whoever falsely makes and utters such a certificate with an intention to evade the provisions of this act, shall be subject to a fine of one hundred dollars.

SECTION 4. It shall be lawful for any person, firm or corporation engaged in any manufacturing or mechanical business, to contract with adult or minor employés to give one week's notice of intention on such employé's part, to quit such employment under a penalty of forfeiture of one week's wages. In such case, the employer shall be required to give a like notice of intention to discharge the employé; and on failure, shall pay to such employé a sum equal to one week's wages. No such forfeiture shall be enforced when the leaving or discharge of the employé is for a reasonable cause. *Provided, however*, The enforcement of the penalty aforesaid, shall not prevent either party from recovering damages for a breach of the contract of hire.

SECTION 5. No child under twelve years of age, shall be employed in any manufacturing or mechanical establishment in this state. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any child in violation of the provisions of this section, and every parent or guardian who permits any child to be so employed, shall be punished by a fine of not less than twenty-five nor more than fifty dollars for each offense.

SECTION 6. No child under fifteen years of age shall be employed in any manufacturing or mechanical establishment in this state, except during vacations of the public schools in the city or town in which he resides, unless during the year next preceding the time of such employment, he has for at least sixteen weeks, attended some public or private school, eight weeks of which shall be continuous; nor shall such employment continue unless such child in each and every year, attends some public or private school for at least sixteen weeks, and no child shall be so employed who does not present a certificate made under or by the direction of the school committee, superintendent of the public schools, or the teacher of a private school, that such child has so attended school. And it shall be the duty of such committee, superintendent or teacher, to furnish such a certificate in accordance with the fact upon request and without charge. * * *

SECTION 7. Any parent or guardian who procures a child to be employed contrary to section 6, and any corporation, owner, superintendent or agent of the owner, of such establishment violating the provisions of said section, shall forfeit the sum of one hundred dollars, one-half to the use of the county, and one-half to the use of the city or town where the offense is committed. Money so recovered to the use of the city or town, shall be added to its school money. It shall be the duties of the school committees and superintendent of public schools, to inquire into violations of said section and report the same to the county attorney, who shall prosecute therefor.

SECTION 8. Every owner, superintendent or overseer of any such manufacturing or mechanical establishment shall require and keep on file, a certificate of the age and place of birth of every child under sixteen years of age employed therein, so long as such child is so employed, which certificate shall also state in the case of a child under fifteen years of age, the amount of his school attendance during the year next preceding such employment. Said certificate shall be signed by a member of the school committee of the place where such attendance has been had, or by some one authorized by such committee * * *. The deputy commissioner of labor hereinafter named or either of his assistants, may demand the names of the children under sixteen years employed in such establishment, in the several cities and towns of the state, and may require that the certificates of age and school attendance prescribed in this section, shall be produced for his inspection, and a failure to produce the same, shall be prima facie evidence that the employment of such child is illegal.

SECTION 9. The governor, by and with the advice and consent of the council, shall appoint a deputy commissioner of labor * * *. It shall be the duty of the deputy commissioner of labor to inquire into any violations of this act, and also to assist in the collection of statistics and other information which may be required, for the use of the bureau of industrial and labor statistics. * * * Whenever the governor of this state shall be satisfied that the deputy commissioner of labor can not perform all the duties of his said office required by this section, in person, he shall, with the advice and consent of the council, appoint a sufficient number of assistant deputies to assist him in so doing. * * * For the purpose of inquiring into any violation of the provisions of this act, and enforcing the penalties thereof, such deputy commissioner and assistants may, at all reasonable times, enter any manufacturing or mechanical establishment and make investigation concerning such violations. Such investigation shall be conducted with as little interruption as possible to the prosecution of the business of such establishment. Whoever interferes with said deputy commissioner or his assistants, in the performance of their duties as prescribed in this act, shall be fined fifty dollars.

SECTION 10. Nothing in this act shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage thereto.

CHAPTER 149.—*Convict labor.*

SECTION 1. No more than twenty per cent. of all the male convicts in the Maine state prison, shall be employed, at any time, at any one industry, or in the manufacture of any one kind of goods. *Provided*, That this section shall not apply to

the manufacture by said convicts, of any kinds of goods which are not, at the time this bill shall go into effect, elsewhere manufactured in this state.

SECTION 2. The manufacture and repair of all kinds of wagons, carriages and sleighs, except the manufacture of infant carriages, shall be considered one industry within the meaning of this act.

SECTION 3. So far as practicable, the industries upon which said convicts shall be employed, shall be the manufacture of articles not elsewhere manufactured in this state.

SECTION 4. All articles and goods manufactured at the prison for sale, shall be distinctly labeled or branded with these words, "Manufactured at the Maine state prison."

ACTS OF 1889.

CHAPTER 216.—*Railroads—Blocking of frogs and switches.*

SECTION 1. Every railroad corporation operating a railroad or part of a railroad in this state, shall * * * adjust, fill or block the frogs and guard-rails on its track, with the exception of guard-rails on bridges, so as to prevent the feet of the employés from being caught therein. This work shall be done to the satisfaction of the railroad commissioners.

SECTION 2. Any railroad corporation failing to comply with the provisions of this act, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars.

CHAPTER 303.—*Intimidation of employés.*

Whoever by threats, intimidation or force, alone or in combination with others, prevents any person from entering into or continuing in the employment of any person, firm or corporation, shall be punished by imprisonment not more than two years, or by fine not exceeding five hundred dollars.

MARYLAND.

CONSTITUTION.

ARTICLE 3.—*Exemption from execution, etc.*

SECTION 44. Laws shall be passed by the general assembly, to protect from execution a reasonable amount of the property of the debtor, not exceeding in value, the sum of five hundred dollars.

CODE OF PUBLIC GENERAL LAWS, 1888.

ARTICLE 7.—*Arbitration of labor disputes.*

SECTION 1. Whenever any controversy shall arise between any corporation incorporated by this state in which this state may be interested as a stockholder or creditor, and any persons in the employment or service of such corporation, which, in the opinion of the board of public works, shall tend to impair the usefulness or prosperity of such corporation, the said board of public works shall have power to demand and receive a statement of the grounds of said controversy from the parties to the same; and if, in their judgment, there shall be occasion so to do, they shall have the right to propose to the parties to said controversy, or to any of them, that the same shall be settled by arbitration; and if the opposing parties to said controversy shall consent and agree to said arbitration, it shall be the duty of the said board of public works to provide in due form for the submission of the said controversy to arbitration, in such manner that the same may be finally settled and determined; but if the said corporation, or the said person in its employment or service, so engaged in controversy with the said corporation, shall refuse to submit to such arbitration, it shall be the duty of the said board of public works to examine into and ascertain the cause of said controversy, and to report the same to the next general assembly.

SECTION 2. All subjects of dispute arising between corporations, and any person in their employment or service, and all subjects of dispute between employ-

ers and employés in any trade or manufacture, may be settled and adjusted in the manner hereafter mentioned.

SECTION 3. Whenever such subjects of dispute shall arise as aforesaid, it shall be lawful for either party to the same to demand and have an arbitration or reference thereof in manner following, that is to say, where the party complaining and the party complained of shall come before, or agree by any writing under their hands, to abide by the determination of any judge or justice of the peace, it shall and may be lawful for such judge or justice of the peace to hear and finally determine in a summary manner the matter in dispute between such parties: but if such parties shall not come before, or so agree to abide by the determination of such judge or justice of the peace, but shall agree to submit their said cause of dispute to arbitrators, appointed under the provisions of this article, then it shall be lawful for any such judge or justice of the peace, and such judge or justice of the peace is hereby required, on complaint made before him, and proof that such agreement for arbitration had been entered into, to appoint arbitrators for settling the matters in dispute; and such judge or justice of the peace shall then and there propose not less than two nor more than four persons, one-half of whom shall be employers and the other half employés, acceptable to the parties to the dispute, respectively, who, together with said judge or justice of the peace, shall have full power finally to hear and determine such dispute.

SECTION 4. In all such cases of dispute as aforesaid, as in all other cases, if the parties mutually agree that the matter in dispute shall be arbitrated and determined in a mode different from the one hereby prescribed, such agreement shall be valid, and the award and determination thereon by either mode of arbitration shall be final and conclusive between the parties.

SECTION 5. It shall be lawful in all cases for any employer or employé, by writing under his hand, to authorize any person to act for him in submitting to arbitration and attending the same.

SECTION 6. Every determination of dispute by any judge or justice of the peace shall be given as a judgment of the court over which said judge presides, and of the justice of the peace determining the same; and the said judge or justice of the peace shall award execution thereon as upon verdict, confession, or nonsuit; and every award made by arbitrators appointed by any judge or justice of the peace under the provisions of this article, shall be returned by said arbitrators to the judge or justice of the peace by whom they were appointed; and said judge or justice of the peace shall enter the same as an amicable action between the parties to the same in the court presided over by said judge or justice of the peace, with the same effect as if said action had been regularly commenced in said court by due process of law, and shall thereupon become a judgment of said court, and execution thereon shall be awarded as upon verdict, confession or nonsuit; and in all proceedings under this article, whether before a judge or justice of the peace, or arbitrators, costs shall be taxed as are now allowed by law in similar proceedings, and the same shall be paid equally by the parties to the dispute; such award shall remain four days in court during its sitting, after the return thereof, before any judgment shall be entered thereon; and if it shall appear to the court within that time that the same was obtained by fraud or malpractice in or by surprise, imposition or deception of the arbitrators, or without due notice to the parties or their attorneys, the court may set aside such award and refuse to give judgment thereon.

ARTICLE 9.—*Exemption from attachment—Wages.*

SECTION 32. No attachments of the wages or hire of any laborer or employé, in the hands of the employer, whether private individuals or bodies corporate, shall affect any salary or wages of the debtor which are not actually due at the date of the attachment; and the sum of one hundred dollars of such wages or hire due to any laborer or employé by any employer or corporation, shall always be exempt from attachment by any process whatever.

SECTION 33. The wages or hire of any person or persons, not residing in this state, shall be subject to attachment upon judgment, warrant, or upon two *non ests*, in the same manner and to no larger extent than the wages or hire of any person or persons, resident in this state.

ARTICLE 23.—*Incorporation of co-operative associations, trade unions, etc.*

SECTION 14. Corporations may be formed in this state * * * by any five or more persons, citizens of the United States, and a majority of them citizens

of this state, or if unnaturalized, residents of this state, making oath that they *bona fide* intend to become citizens of the United States without unreasonable delay, who may desire to form a body corporate or politic, for any of the following purposes:

* * * * * * *

SECTION 15. *Class 2.*—For the creation and maintenance of mechanics' institutes, co-operative stores or societies, * * * ; provided, such corporations are located in this state, and the property they possess or acquire is located therein.

SECTION 37. *Class 24.*—For the formation of trade unions, with such additions to their name as they may adopt and set forth in their certificate, to promote the well being of their every day life, and for mutual assistance in securing the most favorable conditions for the labor of their members, and as beneficial societies.

SECTION 38. Any company may be incorporated for any two or more of the purposes aforesaid, where, in the judgment of those forming said company the same may be conducted by one corporation, with advantage to its general interests.

ARTICLE 23.—*Carrying on of company stores unlawful.*

SECTION 202. No railroad or mining company, formed or organized under any of the provisions of this article, or which has organized under any existing laws, charter or act of the general assembly of this state, shall own, conduct or carry on any store, or have any interest in any store, or receive any portion of the profits thereof; but nothing herein contained shall prevent the employés of any corporation from forming co-operative stores.

ARTICLE 27.—*Labor combinations not unlawful.*

SECTION 31. An agreement or combination by two or more persons, to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen, shall not be indictable as a conspiracy, if such act, committed by one person, would not be punishable as an offence; nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or any offence against any person or against property.

ARTICLE 27.—*Employment, hours of labor, etc., of children.*

SECTION 139. No child under the age of sixteen years shall be employed in laboring by any person, firm, or corporation, in any cotton, woollen or other manufacturing establishment in this state more than ten hours in any one day.

SECTION 140. Any such person, firm or corporation who shall employ any child under sixteen years of age, contrary to the provisions of the preceding section, and any superintendent, overseer or other agent of any such person, firm or corporation, and any parent or guardian of such minor, who permits such minor to work or be so employed contrary to the provisions of said section, shall, for each offence, be punished by a fine not exceeding fifty dollars for each and every case, to be recovered on complaint in any court of competent jurisdiction; and all prosecutions for offences under this section shall be begun within one year from the commission thereof.

SECTION 141. The two preceding sections shall not apply to children engaged in agriculture, household or mercantile pursuits.

ARTICLE 27.—*Hours of labor—Street railways.*

SECTION 142. No horse railway company, incorporated under the laws of this state, and no officer, agent or servant of such corporation, and no person or firm owning or operating any line or lines of horse railways within the limits of this state, and no agent or servant of such firm or persons, shall require, permit or suffer its, his or their conductors or drivers, or any of them, or any employés in its, his or their service, or under his, its or their control, to work more than twelve hours during each or any day of twenty-four hours, and shall make no contract or agreement with such employés, or any of them, providing that they or he shall work for more than twelve hours during each or any day of twenty-four hours.

SECTION 143. Any corporation which shall in any manner violate any of the provisions of the preceding section, shall be deemed to have misused or abused its

corporate powers and franchises, and the attorney-general of the state, upon application in writing, made by any citizen of this state, accompanied by sufficient proof of such violation, shall forthwith, without further authorization, institute proceedings for the forfeiture of the charter of such corporation, by petition in the name of the state, in the manner provided by the laws of this state for the enforcement of the forfeiture of the charter of any corporation which has abused or misused its corporate powers or franchises.

SECTION 144. If any corporation, or any officer, agent or servant of such corporation, or any person or any firm managing or conducting any horse railway in this state, or any agent or servant of such person or firm, shall do any act in violation of the provisions of section 142, it, he or they shall be deemed to have been guilty of a misdemeanor, and shall, on conviction thereof in a court of competent jurisdiction, be fined one hundred dollars for each offence so committed, together with the costs of such prosecution.

ARTICLE 27.—*Factories, workshops, etc.—Health of employés.*

SECTION 148. All factories, manufacturing establishments or workshops in this state shall be kept in a cleanly condition and free from effluvia arising from any drain, privy or other nuisance; and no factory, manufacturing establishment or workshop shall be so overcrowded while work is carried on therein as to be injurious to the health of the persons employed therein; and every such factory, manufacturing establishment or workshop shall be well and sufficiently lighted and ventilated in such a manner as to render harmless, as far as practicable, all the gases, vapors, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein, which may be injurious to health.

SECTION 149. Any person, firm or corporation, managing or conducting any factory, manufacturing establishment or workshop in this state, who shall neglect any of the requirements of the preceding section, or do or permit to be done in the factory, manufacturing establishment or workshop conducted or managed by him, her, them or it, any act contrary to the provisions of said section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of competent jurisdiction, be fined one hundred and fifty dollars for each offence so committed.

ARTICLE 27.—*Sunday labor.*

SECTION 247. No person whatsoever shall work or do any bodily labor on the Lord's day, commonly called Sunday; and no person having children or servants shall command, or wittingly or willingly suffer any of them to do any manner of work or labor on the Lord's day, (works of necessity and charity always excepted,) * * * ; and every person transgressing this section and being thereof convicted before a justice of the peace, shall forfeit five dollars, to be applied to the use of the county.

ARTICLE 27.—*Certain employments of children forbidden.*

SECTION 273. Any person having in his care, custody or control any child under the age of sixteen years, whether as parent, guardian, relative, employer or otherwise, who shall sell, apprentice, or give away, let out or otherwise dispose of any such child to any person under any name, title or pretense whatever, and any person, whether as parent, guardian, relative, employer or otherwise, who shall take, receive, hire, employ, use or have in custody any such child for the vocation, use, occupation, calling, service or purpose of singing, playing on musical instruments, rope walking, dancing, peddling, begging or any mendicant or wandering business whatsoever, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any competent tribunal, to which such person may be committed for trial, shall be fined not less than fifty nor more than two hundred and fifty dollars, or be imprisoned in a county jail for not less than thirty days or more than a year, or suffer both such fine and imprisonment in the discretion of the said tribunal; one-half of all fines so imposed to be paid to the informer.

ARTICLE 27.—*Convict labor.*

SECTION 315. Every person committed or sentenced to said house of correction shall be kept at some useful employment, or hired out for such useful employment as may be best suited to his or her age, and most profitable to the institution; * * * .

SECTION 319. The * * * board of managers [of the house of correction] are authorized and directed to hire to the Maryland Canal Company, upon such terms as may be agreed upon by and between the said board of managers and said canal company, such able bodied male convicts, under sentence to said house of correction as may from time to time be applied for by said Maryland Canal Company; * * *.

ARTICLE 27.—*Convict labor.*

SECTION 389. The property and affairs of the Maryland penitentiary, shall be managed by a board of six directors. * * *

SECTION 406. (As amended by chapter 590, acts of 1890.) The directors may enter into such contracts for the employment of the convicts in the penitentiary and for the sale of the manufactures in the institution as they may deem proper, but shall not enter into any contract for the making or manufacturing of the articles known as tin cans, used for oyster and fruit packing purposes, or iron stoves used for heating and cooking purposes, or iron castings used for machinery purposes, nor employ any convicts in the making thereof; * * * *Provided*, That nothing herein contained shall interfere with present existing contracts.

ARTICLE 45.—*Earnings of married women.*

SECTION 7. Any married woman, who by her skill, industry or personal labor, shall earn any money, or other property, real, personal or mixed, shall hold the same, and the fruits, increase and profits thereof, to her sole and separate use, with power as a *feme sole* to invest, reinvest, devise, bequeath, sell and dispose of the same; *Provided*, That such money or property shall be liable for the payment of any claim or debt incurred by such married woman in and about the business, occupation or enterprise in which said money or other property shall be earned or invested; * * *.

ARTICLE 47.—*Wages preferred—In assignments.*

SECTION 15. Whenever any person or body corporate shall make an assignment for the benefit of his, her or its creditors, or shall be adjudicated insolvent upon his, her or its petition, or upon the petition of any creditor or creditors, or shall have his, her or its property or estate taken possession of by a receiver under a decree of a court of equity, in the distribution of the property or estate of such person or body corporate, all moneys due and owing from such person or body corporate for wages or salaries to clerks, servants or employés contracted not more than three months anterior to the execution of such assignment, adjudication of insolvency, or appointment of receiver, shall first be paid in full out of such property or estate, after payment of the proper and legitimate costs, expenses, taxes and commissions, and shall be preferred to all claims against the property and estate of such insolvent person or body corporate, except the lien claims of such persons as shall hold liens upon such property or estate, recorded at least three months prior to such assignment, adjudication or decree.

ARTICLE 81.—*Exemption from taxation.*

SECTION 4. The provisions of sections 2 and 3 of this article [providing for the assessment of taxes] shall not apply to * * * the provisions kept for the use and consumption of the family of the person to whom the same shall belong; or to the working tools of mechanics and manufacturers, moved or worked exclusively by hand; or to wearing apparel of any description; or to fish while in the possession of the fishermen employed in catching, salting and packing the same, or while in the possession of their agents unsold; * * * but each and every one of said exemptions from taxation shall be strictly construed.

SECTION 5. No person who is not assessed to the sum of at least one hundred dollars shall be required to pay any tax.

ARTICLE 83.—*Exemption from execution, etc.*

SECTION 8. One hundred dollars' worth of property of each defendant therein shall be exempt from execution issued on any judgment in any civil proceeding whatever, except on judgments for breach of promise to marry or for seduction.

SECTION 9. Each defendant in any such execution may select property, real or personal, to the value of one hundred dollars, to be ascertained by three disinterested appraisers, * * *.

SECTION 11. All wearing apparel, mechanical text-books and books of professional men, tools of mechanics, and all tools or other mechanical instruments or appliances moved or worked by hand or foot, necessary to the practice of any trade or profession, and used in the practice thereof, shall be exempt from execution, in addition to the property hereinbefore exempted; * * *

SECTION 12. The * * * preceding sections relating to exemptions shall not impair the lien of any vendor for the purchase money of land, nor of any mortgagee, nor of any mechanic or other person, for any debt contracted for or in aid of the erection of any building, nor shall they apply to any levy on property for nonpayment of taxes.

SECTION 13. Said exemption shall not apply to any persons except actual *bona fide* residents of the state of Maryland.

ARTICLE 84.—*Reduction of pay of seamen found incompetent.*

SECTION 7. If any person shall ship as a first class or ordinary seaman, and upon trial prove to be incapable of performing the duties of the situation for which he shipped, his pay shall be reduced to the pay of that grade for which he shall be found competent.

ARTICLE 89.—*Bureau of industrial statistics.*

SECTION 1. A bureau to collect statistics and information concerning the various branches of industry practiced in this state, and the needs thereof, and the abuses which exist therein, shall be established and maintained; and the chief of said bureau, to be appointed by the governor, by and with the consent of the senate, shall make full report thereof to the general assembly at each session thereof.

ARTICLE 100.—*Hours of labor.*

SECTION 1. No corporation or manufacturing company engaged in manufacturing either cotton or woollen yarns, fabrics or domestics of any kind, incorporated under the laws of this state, and no officer, agent or servant of such named corporation or manufacturing company, and no person or firm, owning or operating such corporation or manufacturing company within the limits of this state, and no agent or servant of such firm or person, shall require, permit or suffer its, his or their employés in its, his or their service, or under its, his or their control, to work for more than ten hours during each or any day of twenty-four hours, for one full day's work, and shall make no contract or agreement with such employés, or any of them, providing that they or he shall work for more than ten hours for one day's work during each or any day of twenty-four hours, and said ten hours shall constitute one full day's work.

SECTION 2. Any such named corporation or manufacturing company within the limits of this state shall be allowed, under the provisions of this section, the privilege of working male employés, over the age of twenty-one years, over the limit of ten hours, for the express purpose only of making repairs and improvements, and getting fires made, steam up and the machinery ready for use in their works, which can not be done during the limits of the ten hours, the extra compensation for all such work to be settled between such corporation and manufacturing companies and the employés; *Provided*, That nothing in this article shall be so construed as to prohibit any employer from making a contract with his male employés, over the age of twenty-one years, to work by the hour for such time as may be agreed upon.

SECTION 3. If any such corporation or manufacturing company within the limits of this state, or any officer, agent or servant of such corporation or manufacturing company in this state, shall do any act in violation of any of the provisions of this article he or they shall be deemed to have been guilty of misdemeanor, and shall, on conviction thereof in a court of competent jurisdiction, be fined not less than one hundred dollars for each and every offence so committed, together with the cost of such prosecution, * * *.

ACTS OF 1890.

CHAPTER 443.—*Forced contributions from railroad employés.*

SECTION 1. It shall not be lawful for any railroad company doing business in this state to withhold any part of the wages of its employés for the benefit of any relief associations or the members thereof.

SECTION 2. Any railroad company violating the provisions of this act, shall upon conviction be fined not less than fifty dollars, nor more than five hundred dollars for each and every offence.

MARYLAND CODE OF PUBLIC LOCAL LAWS, 1888.

ARTICLE 1.—*Payment of wages.*

SECTION 185. Every corporation engaged in mining or manufacturing, or operating a railroad, in Allegany county, and employing ten or more hands, shall pay its employés the full amount of their wages in legal tender money of the United States; and any contract by or on behalf of any such corporation for the payment of the whole or of any part of such wages in any other manner than herein provided, shall be and is hereby declared illegal, null and void; and every such employé shall be entitled to recover from any such corporation employing him, the whole or so much of the wages earned by him as shall not have been actually paid to him in legal tender money of the United States, without set-off or deduction of his demand for or in respect of any account or claim whatever.

SECTION 186. Nothing in the preceding section shall be construed to prevent any such corporation from demising to any of its employés the whole or any part of any tenement in said county at any rent thereon reserved, or from contracting for or advancing money to supply him with medicine, or medical attendance needed for himself or family, or smithing or fuel, and deducting from the wages of any such employé for and in respect of such rent, medicine, medical attendance, smithing or fuel, or money advanced as aforesaid.

SECTION 187. Nothing in section 185 shall be construed to prevent the payment, in whole or in part, of the wages of any such employé in the notes of any bank payable to bearer on demand, that shall be current at par in this State at the time of such payment, but all payments made in such notes, with consent of such employés, shall be as valid and effectual as if made in legal-tender money of the United States.

SECTION 188. Every such corporation which shall directly or indirectly enter into any such illegal contract, or make any such illegal payment, shall be liable to indictment, and upon conviction thereof in any court of competent jurisdiction, shall, for the first offense be fined one hundred dollars and for each succeeding offence not less than five hundred dollars nor more than one thousand dollars.

ARTICLE 1.—*Exemption from execution etc.—Sufficient property to pay wages of employés.*

SECTION 193. Any sheriff or coroner who may have an execution or attachment against the property of any such individual, association or corporation, shall exempt from execution and levy a sufficiency of property to pay any indebtedness of such individual, association or corporation, to employés or furnishers of raw materials; and it shall be his duty diligently to inquire whether the said individual, association or corporation be indebted as aforesaid; and if the employés or furnishers of raw materials shall in any way suffer, be prejudiced or injured by refusal to comply with, or negligence in executing the requirements hereof, the sheriff or coroner, together with his sureties, shall be bound and held liable for whatever of injury or damage shall be done in the premises in consequence of such refusal or negligence.

ARTICLE 1.—*Hours of labor—Mines.*

SECTION 194. The period of employment of workingmen employed in and about the mines of Allegany and Garrett counties shall be ten hours per day, said hours to be computed from the time of beginning said day's labor; *Pro-*

vided, That the time of beginning said day's labor shall be seven o'clock, a. m.; but nothing herein contained shall in any way preclude any workingman in and about said mines from working a greater number of hours should he so desire, and enter into contract with the owner or owners or managers of any of said mines—such additional hours to be computed as over time, and to be paid for.

SECTION 195. Any person, body corporate, agent, manager or employer, who shall violate any of the provisions of the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars.

ARTICLE 1.—*Coal-mine regulations and inspection.*

SECTION 196. The governor, by and with the advice and consent of the senate, shall appoint one mine inspector for the counties of Allegany and Garrett, who shall hold his office for two years from the date of his appointment.

SECTION 197. No person shall be eligible to the office of mine inspector until he shall have attained the age of thirty-five years, and shall possess a competent knowledge of all the different systems of mining and working and properly ventilating coal mines, and the nature and constituent parts of noxious gases of mines, and of the various ways of expelling the same from said mines.

SECTION 199. It shall be the duty of the said mine inspector to carefully examine all mines that may be in operation in the counties of Allegany and Garrett, at least once in every month, and oftener if necessary, to see that every precaution is taken to insure safety to all workmen that may be engaged in said mines, and to see that the provisions of sections 201, 202, 203, 204, 205, 206, 207 and 209, are strictly observed; * * *.

SECTION 201. The owner or lessee of every coal mine that may be in operation in the said counties of Allegany and Garrett shall make or cause to be made an accurate map or plan of the workings of such mine, which shall be kept at the office of the company, lessee or individual so mining, and shall be at all times accessible to the said inspector for reference only.

SECTION 202. The owner, lessee or agent of every coal mine that may now or hereafter be in operation in the said counties of Allegany or Garrett, whether worked by slope, shaft or draft [drift], shall provide and establish for every such mine, a proper system of pure air ventilation by such modes as are now in use in the coal mines of Allegany and Garrett counties, which said ventilation shall be maintained through every working heading throughout the entire mine, so as to expel from said mines the noxious gases and impure air, and thus keep the entire mine in a healthful condition for the men working therein, and free from danger to their lives from such impure air and gases.

SECTION 203. To secure the proper ventilation of every coal mine in the counties of Allegany and Garrett, and to provide for the health and safety of the men employed therein, the owner, lessee or agent of each mine shall employ a competent and practical inside overseer, whose duty it shall be to keep a careful watch over all the ventilating apparatus that may be placed in said mine, as well as all the air-ways, all the traveling-ways, and all the timberings, and to see that all loose coal and rocks overhead are carefully secured against falling upon any of the miners engaged at work therein, as they advance in their excavations; and it shall be the duty of the inside overseer so employed, to take charge of and keep a careful watch over all things connected with and appertaining to the safety of the men at work in the mine, and to report to the owner, lessee or agent of said mine when and where anything under his charge is unfit for mining purposes; and it shall also be the duty of the inside overseer so employed, to take charge of and pay strict attention to all the air doors used in the ventilation of said mines; and all air doors used in the ventilation of said mines shall be suspended in such a manner that they will close of their own accord.

SECTION 204. The owner, lessee or agent of every mine in operation in the said counties of Allegany and Garrett shall furnish at his own expense all props and all the requisite timber that may be used in the working of said mines; and as the miners employed at work therein proceed with the working of their excavations, it shall be the duty of the owner, lessee or agent of said mines to furnish a sufficient quantity of timber at the place where the miners are at work; and whenever the said workmen engaged in the said excavation shall deem it safe and proper to have any of the props or timbers removed from said excavations, it shall be the duty of the person so employed by the owner, lessee or agent, to remove the said props and timbers to whatever point or place the workmen engaged therein may require, but no props or timber whatever shall be removed when such removal may endanger the lives of any of the workmen engaged therein.

SECTION 205. Whenever any impure air or gases are known to exist in any *of the mines in* the said counties of Allegany and Garrett, which are likely to

endanger the lives of the miners employed therein, it shall be the duty of the mine inspector, upon the same being made known to him, to proceed at once to make a careful examination of the ventilating apparatus of the said mine, and if he shall find that the gases and impure air existing in said mine are occasioned by the bad condition of the ventilating apparatus connected therewith, he shall immediatedly notify the owner, lessee or agent, to expel from the said mine all noxious gases and impure air existing therein, and to properly ventilate the same.

SECTION 206. The mine inspector shall also be inspector of weights at all the mines now or hereafter operated in said Allegany and Garrett counties, and shall have power to weigh the coal mined therein, from time to time, on the scales at the different mines in said counties, and to test the accuracy of such scales, and to do any other act that he may deem necessary to ascertain whether or not the miners are allowed full weight of coal in the mining cars when placed upon the scales of the different mines; * * *

SECTION 207. It shall be the duty of every person or body corporate, operating a mine or mines in either of said counties, as owner, lessee or agent, to provide correct and accurate scales for weighing the coal mined therein before the same shall be taken from the mine cars used by the miners therein.

SECTION 208. Any owner, lessee, agent or operator of any coal mine in said counties of Allegany or Garrett, or any other person therein, neglecting or refusing to comply with or violating in any manner any of the provisions of sections 201, 202, 203, 204, 205, 206, 207 and 209, shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof may be fined for each and every said offence a sum not less than ten dollars nor more than five hundred dollars, in the discretion of the court.

SECTION 209. It shall be lawful, however, notwithstanding the provisions of sections 206 and 207, for any corporation or individual engaged in mining coal in Allegany and Garrett counties, in this State, in or by a shaft, to contract with miners to dig the coal therein or therefrom by measurement; and in all cases where the wages of the miners are by contract or agreement ascertained by the cubic yard or other measurement, it shall not be obligatory upon such corporations or individuals so contracting to provide scales, or any weighmaster or weighmasters at such shaft, or to weigh any coal therein or taken therefrom; but the miners' cars used in any mine worked by a shaft shall be measured by a sworn measurer, and the capacity of each car shall be stamped or branded thereon.

ARTICLE 4.—*Seats for female employés.*

SECTION 398. It shall be the duty of all employers of females in any mercantile or manufacturing business or occupation in the city of Baltimore to provide and maintain suitable seats for the use of such female employés, and to permit the use of such seats by such employés to such an extent as may be reasonable for the preservation of their health.

SECTION 399. Any violation of the preceding section by any employer shall be deemed a misdemeanor, and shall be punishable by a fine of one hundred and fifty dollars, to be collected as other fines are collected.

ARTICLE 4.—*Inspection etc. of steam boilers in Baltimore.*

SECTION 509. The governor shall biennially appoint two suitable persons who are well skilled in the construction and use of steam engines and boilers, and in application of steam thereto, whose duty it shall be to inspect steam boilers in the city of Baltimore, as hereinafter specified and directed; said inspectors before entering on their duties, shall make oath before a justice of the peace, * * * that they are not, and will not during their term of office, be connected with, or interested in the manufacture of steam boilers, engines or machinery applicable thereto, * * *.

SECTION 510. The city of Baltimore is divided into two districts, which shall be known as the first and second steam boiler inspection districts; * * *

SECTION 511. The inspectors, before entering on the discharge of their duties, shall provide themselves with an office in a central part of said city, also with the necessary apparatus and appliances for the testing of steam boilers; and they shall give notice for three successive days, through the two daily papers having the largest circulation in said city, of the time and manner in which they shall receive the reports of the locations of steam boilers.

SECTION 512. Every owner or renter using a steam boiler in said city, shall, within ten days after the publication of the aforesaid notice, report to the in-

spector of the district the location of such boiler, under a penalty of fifty dollars for each day a boiler is used and neglected to be reported.

SECTION 513. The inspector of each district shall give six days' notice in writing to each owner or renter of a steam boiler, or the engineer or person in charge, of the time when he will inspect such boiler; and such owner or renter shall have such boiler ready for inspection, in compliance with the requirements of said notice, and shall furnish such assistance as the inspector may require, under a penalty of fifty dollars for such failure or neglect, and a further penalty of fifty dollars for each day any such boiler is used without a certificate of inspection.

SECTION 514. It shall be the duty of each inspector, once at least in every year, to inspect all stationary steam boilers of three-horse power and upwards, used within the limits of his district, subjecting them to a hydrostatic test of at least twenty-five per cent. in excess of the steam pressure allowed, and satisfy himself, by a thorough external and internal examination, (if possible) with a hammer, that the boilers are free from danger from corrosion or other defects, are well made of good material, the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat are of proper dimensions, and free from obstruction; that the flues and tubes, if any, are circular in form, the furnaces in proper shape, and the fire line of the furnace is at least two inches below the minimum water line of the boilers; and shall also satisfy himself that the safety-valves are of suitable dimensions, sufficient in number and well arranged, and that the weights are properly adjusted so as to allow no greater pressure in the boiler than the amount prescribed in the certificate of inspection: that there is a sufficient number of gauge cocks, a steam gauge, a coupling-cock in suitable position for attaching the hydrostatic test, that means for blowing-out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers when they are under the pressure of steam, and that fusible metals are properly inserted so to fuse by the heat of the furnaces when the water in the boilers shall fall below the prescribed limits, and that adequate and certain provision is made for an ample supply of water at all times; when the inspection is completed and the inspector approves the boiler, he shall make and subscribe a certificate of inspection, stating the condition of the boiler, the number of years or months it has been in use, and the pressure of steam allowed; and no greater pressure than that allowed by the certificate shall be applied to such boiler. In limiting pressure, whenever the boiler under test will, with safety, bear the same, the limit desired by the owner shall be the one certified; and such certificate of inspection shall be framed under glass, and kept in some conspicuous place on the premises where said boiler referred to is used; and if the inspector shall deliver or cause to be delivered to the owner or renter of any boiler a certificate of inspection without having first subjected the said boiler to the tests as herein provided, he shall forfeit his bond, and upon conviction shall be removed from office by the governor.

SECTION 515. In addition to the annual inspection, it shall be the duty of the inspector to examine all boilers within the limits of their respective districts once at least in every three months, and if deemed necessary, apply the hydrostatic test; and if on such examination the inspector shall find evidence of deterioration in strength, he shall revoke the certificate and issue another, assigning a lower rate of pressure; and if the defect be of such character as to make the boiler dangerous, the inspector shall notify the owner or renter in writing, stating in the notice what is required, and order the use of the boiler discontinued until the necessary repairs are made; and if he considers it beyond repair, he shall condemn it; and if the owner or renter shall refuse or neglect to comply with the requirements of the inspector, and shall, contrary thereto, and while the same remains unreversed, use the boiler, he shall be liable to a penalty of not less than one hundred dollars for each day such boiler is used, and in addition thereto shall be liable for any damage to persons or property which shall occur from any defects, as stated in the notice of the inspector.

SECTION 516. Any owner or renter of a boiler, who shall consider himself aggrieved by the action of the inspector, under the provisions of the preceding section, may, within ten days after such inspection, notify the inspector, of the fact, and demand a re-examination of the said boiler; the owner or renter shall select a practical engineer, who, with the inspector, shall select a third person, skilled in the manufacture and use of steam boilers, which said two persons, after taking an oath as reviewers, shall, together with the inspector, carefully examine the said boiler, and the decision of any two of these shall be final; should the decision of the inspector be sustained, the said owner or renter shall pay the expense of such review; but should it be reversed, the inspector shall restore the certificate, and the expense of the review shall be paid by the State; such

reviewers shall receive five dollars for each day or part of a day they are engaged in making such review.

SECTION 517. Any person erecting or using a steam boiler without having the same inspected by the inspector of the district in which the said boiler is located, shall pay a fine of one hundred dollars, and fifty dollars for each day any such boiler is used without being inspected; and any person who shall alter or change a steam gauge or weight on a safety-valve for the purpose of carrying a greater pressure of steam on a boiler than that allowed by the certificate of inspection, shall be liable to a fine of five hundred dollars; and any owner or renter of a steam boiler who shall neglect or refuse to place his certificate of inspection on the premises, as prescribed in section 514 hereof, shall pay a fine of five dollars for each day's refusal or neglect.

SECTION 518. The inspector shall have power to examine the engineers and assistants in charge of boilers, and if any engineer or assistant is found incompetent or addicted to intemperance, the inspector shall notify the owner or renter, and withdraw the certificate of inspection until such engineer or assistant is displaced.

SECTION 520. It shall be the duty of each inspector to keep a correct record of the locations of all boilers in his district, when each boiler was inspected, the condition of the same at the time of inspection, the instructions given to the engineers in charge, the certificates issued, and the amount of steam pressure allowed in each certificate, and the boilers condemned or ordered to be repaired; also a correct account of all money received or paid out; and they shall report the same annually to the comptroller of the State.

SECTION 523. Every steam boiler insurance company doing business in this State shall have a resident inspector, whose duty it shall be to make inspections of steam boilers submitted for insurance to such steam boiler insurance company; and any owner or renter of a steam boiler who has the same insured in a steam boiler insurance company doing business in this State, in compliance with the laws thereof, and having a resident inspector and an established system of inspection, must immediately after the first annual inspection in each year by such resident inspector of such steam boiler insurance company, present to the State inspector of the district in which the said steam boilers are located, the certificate of inspection of the said company; and the said company shall be charged and chargeable with a fee of one dollar for each and every boiler so inspected and insured, which shall be paid to the State inspector with such certificate: *Provided*, That when there is more than one steam boiler belonging to the same owner or renter so insured, then the fee so chargeable to the insurance company shall be one dollar per boiler for the first five, and one dollar for each additional five or fraction thereof over and above the first five; and upon the acceptance of the provisions of this section by the owner or renter of said steam boiler, the said owner or renter shall be exempted from the requirements of this sub-title of this article.

ARTICLE 12.—*Wages unpaid for thirty days—Remedy of employé in Garrett County.*

SECTION 145. If any individual engaged in mining or manufacturing in said county [Garrett], or any association or body corporate engaged in any business whatever therein, shall for the space of thirty days be indebted to the persons in their employ, or to furnishers of any raw material, in the aggregate sum of twenty-five dollars, and shall neglect or refuse to pay the same for the space of thirty days, the circuit court for said county, as a court of equity, or the judge thereof in vacation shall, upon the petition of the employés or furnishers of raw material, or any number of them, appoint a receiver to take charge of the affairs of such individual, association or body corporate, with a view to their liquidation and settlement under the authority of said court.

MASSACHUSETTS.

PUBLIC STATUTES OF 1882.

CHAPTER 11.—*Exemption from taxation.*

SECTION 5. The following property and polls shall be exempted from taxation:

* * * * * * *

Sixth. The wearing apparel and farming utensils of every person; his household furniture not exceeding one thousand dollars in value; and the necessary tools not exceeding three hundred dollars in value of a mechanic.

* * * * * * *

Tenth. (as amended by chapter 169, acts of 1885). The property, to the amount of five hundred dollars, of a widow or unmarried woman above the age of twenty-one years, of any person above the age of seventy-five years, and of any minor whose father is deceased, whether such property be owned by such person separately, or jointly or as tenant in common with another or others: *Provided*, That the whole estate real and personal of such person does not exceed in value the sum of one thousand dollars exclusive of property otherwise exempted under the provisions of this section: *And provided, further*, That no property shall be so exempted which in the judgment of the assessors has been conveyed to such person for the purpose of evading taxation. * * *

Eleventh. Mules, horses, and neat cattle, less than one year old; and swine and sheep less than six months old.

* * * * * * *

CHAPTER 16.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 64. When public buildings or other public works upon which liens might attach for labor or materials, if they belonged to private persons, are about to be constructed or repaired for the Commonwealth by contract, the officers or agents contracting in behalf of the Commonwealth shall obtain sufficient security, by bond or otherwise, for payment by the contractor and by all subcontractors for all labor performed or furnished and for all materials used in such construction or repair.

CHAPTER 28.—*Payment of wages.*

SECTION 12. Cities shall, at intervals not exceeding seven days, pay all laborers who are employed by them at a rate of wages not exceeding two dollars a day, if such payment is demanded.

CHAPTER 31.—*Bureau of statistics of labor.*

SECTION 13. A chief appointed by the governor with the advice and consent of the council, and a first clerk appointed by the chief, shall constitute a bureau of statistics of labor: * * *.

The bureau shall collect, assort, arrange, and present in annual reports to the general court, on or before the first day of March in each year, statistical details relating to all departments of labor in the Commonwealth, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes and to the permanent prosperity of the productive industry of the Commonwealth.

SECTION 14. The bureau shall have power to send for persons and papers, and to examine witnesses under oath; and such witnesses shall be summoned in the same manner and be paid the same fees as witnesses before the higher courts of the Commonwealth.

SECTION 16. The chief of said bureau may employ such assistants and incur such expense, not exceeding five thousand dollars in each year, as may be necessary in the discharge of the official duties of said bureau. * * *

CHAPTER 44.—*Use of hand tools to be taught in public schools.*

SECTION 1, (as amended by chapter 69, acts of 1884). In every town there shall be kept, for at least six months in each year, at the expense of said town, * * * a sufficient number of schools for the instruction of all the children who may legally attend public school therein, * * * the elementary use of hand-tools shall be taught * * * in all the public schools in which the school committee deem it expedient.

CHAPTER 48.—*Certain employments of children forbidden.*

SECTION 8. Any person who employs or exhibits, or who sells, apprentices, or gives away for the purpose of employing or exhibiting, a child under fifteen years of age, in dancing, playing on musical instruments, singing, walking on a wire or rope, or riding or performing as a gymnast, contortionist, or acrobat, in any circus or theatrical exhibition, or in any public place whatsoever, or who causes, procures, or encourages any such child to engage therein, shall be punished by fine not exceeding two hundred dollars, or by imprisonment in the

county jail not exceeding six months: *Provided*, That nothing in this section shall be construed to prevent the education of children in vocal and instrumental music, or their employment as musicians in any church, chapel, or school, or school exhibition, or to prevent their taking part in any concert or musical exhibition on the special written permission of the mayor and aldermen of a city or the selectmen of a town.

SECTION 9. No license shall be granted for a theatrical exhibition or public show in which children under fifteen years of age are employed as acrobats, contortionists, or in any feats of gymnastics or equestrianism, or in which such children belonging to the public schools are employed, or allowed to take part as performers on the stage in any capacity, or where, in the opinion of the board authorized to grant licenses, such children are employed in such manner as to corrupt their morals or impair their physical health; but nothing herein contained shall prevent the giving of special permission as provided by the preceding section.

CHAPTER 74—*Employment of labor.*

SECTION 1. Any person or corporation engaged in manufacturing, which requires from persons in his or its employ, under penalty of forfeiture of a part of the wages earned by them, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ except for incapacity or misconduct, unless in case of a general suspension of labor in his or its shop or factory.

SECTION 2. Whoever by intimidation or force prevents or seeks to prevent a person from entering into or continuing in the employment of a person or corporation shall be punished by fine of not more than one hundred dollars.

SECTION 3. No person or corporation shall, by a special contract with persons in his or its employ, exempt himself or itself from any liability which he or it might otherwise be under to such persons for injuries suffered by them in their employment and which result from the employer's own negligence or from the negligence of other persons in his or its employ.

SECTION 4, (as amended by chapter 280, acts of 1887). No minor under eighteen years of age and no woman shall be employed in laboring in any manufacturing or mechanical establishment more than ten hours in any one day, except as hereinafter provided in this section, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty in a week. Every employer shall post in a conspicuous place in every room where such persons are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of commencing and stopping such work, and the hours when the time or times allowed for dinner or for other meals begins and ends, or in the case of establishments exempted from the provisions of chapter two hundred and fifteen of the acts of the year eighteen hundred and eighty-seven, the time, if any, allowed for dinner and for other meals; the printed form of such notice shall be furnished by the chief of the district police, and shall be approved by the attorney-general; and the employment of any such person for a longer time in any day than that so stated shall be deemed a violation of this section, unless it appears that such employment is to make up for time lost on some previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment. But no stopping of machinery for a shorter continuous time than thirty minutes shall authorize such overtime employment, nor shall any such stopping authorize such employment unless or until a written report of the day and hour of its occurrence, with its duration, is sent to the chief of the district police or to the inspector of factories for the district. Any person who makes a false report of such stopping of machinery shall be punished by fine of not less than fifty nor more than one hundred dollars. If any minor under eighteen years of age, or any woman, shall, without the orders, consent or knowledge of the employer, or of any superintendent, overseer, or other agent of the employer, labor in a manufacturing or mechanical establishment during any part of any time allowed for dinner or for other meals in such establishments, according to the notice above mentioned, and if a copy of such notice was posted in a conspicuous place in the room where such labor took place, together with a rule of the establishment forbidding such minor or woman to labor during such time, then neither the employer, nor any superintendent, overseer, or other agent of the employer, shall be held responsible for such employment.

SECTION 5. Whoever, either for himself, or as superintendent, overseer, or other agent of another, employs or has in his employment any person in violation of the provisions of the preceding section, and every parent or guardian who permits any minor to be so employed, shall be punished by fine of not less than fifty nor more than one hundred dollars for each offence. Said penalty shall extend to corporations. A certificate of the age of a minor made by him and by his parent or guardian at the time of his employment in a manufacturing establishment shall be conclusive evidence of his age upon any trial for a violation of the preceding section.

CHAPTER 86.—*Alien contract labor.*

SECTION 12. Every corporation which brings into this Commonwealth any person not having a settlement therein, or by whose means or at whose instigation any such person is so brought, for the purpose of performing labor for such corporation, shall give a bond to the Commonwealth, to be delivered to the State board [of health, lunacy and charity] in the sum of three hundred dollars, conditioned that neither such person, nor any one legally dependent on him for support, shall within two years become a city, town, or State charge.

CHAPTER 98.—*Sunday labor.*

SECTION 2, (as amended by chapter 391, acts of 1887). Whoever on the Lord's day keeps open his shop, warehouse, or workhouse, or does any manner of labor, business, or work, except works of necessity and charity, * * * shall be punished by fine not exceeding fifty dollars for each offence. But nothing in this section shall be held to prohibit the manufacture and distribution of steam, gas or electricity for illuminating purposes, heat or motive power, nor the distribution of water for fire or domestic purposes, nor the use of the telegraph or the telephone, nor the retail sale of drugs and medicines, nor articles ordered by the prescription of a physician, nor mechanical appliances used by physicians or surgeons, nor the letting of horses and carriages, nor the letting of yachts and boats, nor the running of steam ferryboats on established routes, of street-railway cars, nor the preparation, printing and publishing of newspapers, nor the sale and delivery of newspapers, nor the retail sale and delivery of milk, nor the transportation of milk, nor the making of butter and cheese, nor the keeping open of public bath houses, nor the making or selling by bakers or their employés of bread or other food usually dealt in by them before ten of the clock in the morning and between the hours of four of the clock and half-past six of the clock in the evening.

SECTION 13, (as amended by chapter 391, acts of 1887.) Whoever conscientiously believes that the seventh day of the week ought to be observed as the Sabbath, and actually refrains from secular business and labor on that day, shall not be liable to the penalties of this chapter for performing secular business or labor on the Lord's day, if he disturbs no other person.

CHAPTER 100.—*Sale of liquor to employés.*

SECTION 25. The * * * employer of a person who has or may hereafter have the habit of drinking spirituous or intoxicating liquor to excess, may give notice in writing, signed by him or her, to any person, requesting him not to sell or deliver such liquor to the person having such habit. If the person so notified at any time within twelve months thereafter sells or delivers any such liquor to the person having such habit, or permits such person to loiter on his premises, the person giving the notice may, in an action of tort, recover of the person notified such sum, not less than one hundred nor more than five hundred dollars, as may be assessed as damages: *Provided*, That an employer giving such notice shall not recover unless he is injured in his person or property. * * *

CHAPTER 102.—*Inspection of steam engines and boilers.*

SECTION 49. The fire commissioners of the city of Boston, the mayor and aldermen of any other city, or the selectmen of a town, or any person by them authorized, may, after notice to the parties interested, examine any steam-engine or steam-boiler therein, whether fixed or portable; and for that purpose may enter any house, shop, or building; and if upon such examination it appears probable that the use of such engine or boiler is unsafe, they may issue a tem-

porary order to suspend such use; and if after giving the parties interested, so far as known, an opportunity to be heard, they adjudge such engine or boiler unsafe or defective or unfit to be used, they may pass a permanent order prohibiting the use thereof until it is rendered safe. If, after notice to the owner or person having charge thereof, such engine or boiler is used contrary to either of such orders, it shall be deemed a common nuisance, without any other proof thereof than its use.

SECTION 50. The fire commissioners, mayor and aldermen and selectmen, may abate and remove a steam-engine or steam-boiler erected or used contrary to the provisions of the preceding section in the same manner as boards of health may remove nuisances, under sections twenty-one, twenty-two, and twenty-three of chapter eighty.

SECTION 51. No person shall manufacture, set up, use, or cause to be used, a steam-boiler, unless it is provided with a fusible safety-plug made of lead or some other equally fusible material, and of a diameter of not less than one-half an inch, placed in the roof of the fire-box, when a fire-box is used, and in all cases in a part of the boiler fully exposed to the action of the fire, and as near the top of the water line as any part of the fire-surface of the boiler; and for this purpose Ashcroft's "protected safety fusible plug" may be used.

SECTION 52. Whoever without just and proper cause removes from a boiler the safety plug thereof, or substitutes therefor any material more capable of resisting the action of the fire than the plug so removed, shall be punished by fine not exceeding one thousand dollars.

SECTION 53. Whoever manufactures, sets up, or knowingly uses or causes to be used for six consecutive days a steam-boiler unprovided with a safety fusible plug as described in section fifty-one, shall be punished by fine not exceeding one thousand dollars.

CHAPTER 103.—*Factories and workshops.*

SECTION 9. The governor shall appoint two or more of the district police to act as inspectors of factories and public buildings. * * *

SECTION 10, (as amended by chapter 218, acts of 1887). Such inspectors shall enforce the provisions of sections thirteen to twenty-two, inclusive, of chapter one hundred and four, except as therein specified, and the various provisions of law relating to the employment of women and minors in manufacturing, mechanical or mercantile establishments, and the employment of children, young persons or women in factories or workshops, and the ventilation of factories or workshops, and the securing of proper sanitary provisions in factories or workshops; and for this purpose said inspectors may enter all buildings used for public or manufacturing purposes, or for factories or workshops, examine the methods of protection from accident, the means of escape from fire, the sanitary provisions and the means of ventilation, and may make investigations as to the employment of children, young persons and women.

SECTION 11. The chief of the district police shall report in print to the governor, on or before the first day of January of each year, in relation to factories and public buildings, with such remarks, suggestions, and recommendations as he may deem necessary.

CHAPTER 104.—*Factories and workshops.*

SECTION 13. The belting, shafting, gearing, and drums of all factories, when so placed as to be, in the opinion of the inspectors mentioned in section nine of chapter one hundred and three, dangerous to persons employed therein while engaged in their ordinary duties, shall be as far as practicable securely guarded. No machinery, other than steam-engines, in a factory, shall be cleaned while running, if objected to in writing by one of said inspectors. All factories shall be well ventilated and kept clean.

SECTION 14, (as amended by chapter 208, acts of 1882). The openings of all hoistways, hatchways, elevators, and well-holes, upon every floor of a factory, or mercantile or public building shall be protected by good and sufficient trap-doors, or self-closing hatches and safety-catches, or such other safeguards as said inspectors direct; and all due diligence shall be used to keep such trap-doors closed at all times, except when in actual use by the occupant of the building having the use and control of the same. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, to be approved by the said inspectors, whereby the cabs or cars will be securely held in the event of accident to the shipper rope, or hoisting machinery, or from any similar cause.

SECTION 21. No explosive or inflammable compound shall be used in any factory in such place or manner as to obstruct or render hazardous the egress of operatives in case of fire.

SECTION 22, (as amended by chapter 266, acts of 1882). Any person or corporation being the owner, lessee or occupant of a manufacturing establishment, factory or workshop, * * * shall, for the violation of any provision of [above section] be punished by a fine of not less than fifty nor more than five hundred dollars; and shall also be liable for all damages suffered by any employé by reason of such violations; but no criminal prosecution shall be made for such violation until four weeks after notice in writing by an inspector of factories and public buildings of any changes necessary to be made to comply with the provisions of said sections has been sent by mail or delivered to such person or corporation, nor then, if in the mean time such changes have been made in accordance with such notification. Notice to one member of a firm, or to the clerk or treasurer of a corporation owning, leasing, occupying or controlling, as aforesaid, shall be deemed a sufficient notice under this section, to all the members of such firm or to such corporation. Nothing in this section shall be so construed as to prohibit a person injured from bringing an action to recover damages for his injuries.

SECTION 23, (as amended by chapter 276, acts of 1887). The authority of the inspectors mentioned in section thirteen of this chapter to enforce the provisions of sections fourteen * * * [twenty-one and twenty-two] * * * shall not extend to the city of Boston.

SECTION 24, (as amended by chapter 266, acts of 1882). A district police officer detailed to perform the duties required by [the above] sections * * * who fails to perform such duties faithfully shall be immediately discharged from his office.

CHAPTER 106.—*Coöperative associations.*

SECTION 9. For the purpose of coöperation in carrying on any business authorized in the two preceding sections [any mechanical, mining or manufacturing business except that of distilling or manufacturing intoxicating liquors, cutting, storing and selling ice, carrying on any agricultural, horticultural or quarrying business, printing and publishing newspapers, periodicals, books or engravings] and of coöperative trade, seven or more persons may associate themselves, with a capital of not less than one thousand nor more than one hundred thousand dollars.

SECTION 72. Every corporation organized for the purposes set forth in section nine shall distribute its profits or earnings among its workmen, purchasers, and stockholders, at such times and in such manner as shall be prescribed by its by-laws, and as often at least as once in twelve months; but no distribution shall be made until at least ten per cent. of the net profits has been appropriated for a contingent or sinking fund, until there has accumulated a sum equal to thirty per cent in excess of its capital stock.

SECTION 73. No person shall hold shares in any coöperative association to an amount exceeding one thousand dollars at their par value, nor shall any stockholder be entitled to more than one vote upon any subject.

CHAPTER 106.— *Corporations — Liability of stockholders for debts due employés.*

SECTION 61. The members or stockholders in any corporation which is subject to this chapter shall be jointly and severally liable for its debts or contracts in the following cases, and not otherwise:—

* * * * * * *

Fourth. For all sums of money due to operatives for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment.

* * * * * * *

CHAPTER 112.—*Suits for wages—Railroad employés.*

SECTION 143. A person to whom a debt is due for labor performed or for materials furnished and actually used in constructing a railroad under a contract with a person other than the owner thereof, having authority from or rightfully acting for such owner in furnishing such labor or materials, shall have a right of action against such owner to recover such debt with costs, * * * .

SECTION 145. No such person shall have such right of action for labor performed, unless, within thirty days after ceasing to perform it, he files in the office of the clerk of a city or town in which any of said labor was performed a written statement, under his oath, of the amount of the debt so due him, and of the name of the person or persons for whom and by whose employment the labor was performed. Such right of action shall not be lost by a mistake in stating the amount due; but the claimant shall not recover as damages a larger amount than is named in said statement as due him, with interest thereon.

SECTION 147. No such action shall be maintained, unless commenced within sixty days after the plaintiff ceased to perform such labor or to furnish such materials.

CHAPTER 112.—*Color-blindness of railroad employés.*

SECTION 179, (as amended by chapter 125, acts of 1883). No railroad corporation shall employ or keep in its employment, in a position which requires the person employed therein to distinguish form or color signals, any person, unless he has been examined for color-blindness or other defective sight by some competent person employed by the corporation, and has received a certificate that he is not disqualified for such position by color-blindness or other defective sight. A railroad corporation shall forfeit one hundred dollars for each violation of the provisions of this section.

CHAPTER 112.—*Liability of railroad employés for negligence.*

SECTION 210. When an engineman, fireman, or other agent of a railroad corporation is guilty of negligence or carelessness whereby an injury is done to a person or corporation, he shall be punished by imprisonment not exceeding twelve months, or by fine not exceeding one thousand dollars.

SECTION 211. Whoever, having the management of or control over a railroad train while being used for the common carriage of persons, is guilty of gross carelessness or neglect in or in relation to the management or control thereof, shall forfeit a sum not exceeding five thousand dollars, or be imprisoned not more than three years.

CHAPTER 112.—*Railroad companies—When liable for death of employés.*

SECTION 212, (as amended by chapter 243, acts of 1883). * * * if an employé of [a railroad] corporation being in the exercise of due care is killed under such circumstances as would have entitled the deceased to maintain an action for damages against such corporation, if death had not resulted, the corporation shall be liable in the same manner and to the same extent as it would have been if the deceased had not been an employé. * * *

CHAPTER 137.—*Wages preferred—In administration.*

SECTION 1. When the estate of a person deceased is insufficient to pay all his debts, it shall, after discharging the necessary expenses of his funeral and last sickness and the charges of administration, be applied to the payment of his debts in the following order: First, debts entitled to a preference under the laws of the United States; second, public rates, taxes, and excise duties; third, wages or compensation, to an amount not exceeding one hundred dollars, due to a clerk, servant, or operative, for labor performed within one year next preceding the death of such deceased person, or for such labor so performed for the recovery or payment of which a judgment has been rendered. * * *

CHAPTER 147.—*Earnings of married women.*

SECTION 4. All work and labor performed by a married woman for a person other than her husband and children shall, unless there is an express agreement on her part to the contrary, be presumed to be performed on her separate account.

CHAPTER 157.—*Wages preferred—Insolvency.*

SECTION 104. In the order for a dividend * * * the following claims shall be entitled to priority, and to be first paid in full in their order:

First. All debts due to the United States, and all debts due to and taxes assessed by this State, or any county, city, or town therein.

Second. Wages due to an operative, clerk, or servant, to an amount not exceeding one hundred dollars, for labor performed within one year next preceding the first publication of the notice, or for labor for the recovery of payment for which a suit commenced within one year after the performance thereof is pending, or has terminated within one year from said first publication.

* * * * * * *

SECTION 105. The estate shall be liable for wages due to an operative from another operative who has contracted or agreed to do certain specified work for the debtor, to the amount of one hundred dollars, for labor actually performed on such work within one year next preceding the first publication of the notice, and in the division of the estate such wages shall have the priority given to wages due to operatives under the provisions of the preceding section; but all payments under the provisions of this section shall be charged to the account of the operative who, as principal, has contracted or agreed to do the work, and such payments, and the liability herein imposed, shall not exceed the amount due such principal operative for such work performed within the time hereinbefore mentioned. * * *

CHAPTER 171.—*Exemption from execution, etc.—Personal property.*

SECTION 34. The following articles of the debtor shall be exempt from execution, viz:

First. The necessary wearing apparel of himself and of his wife and children; one bedstead, bed, and the necessary bedding for every two persons of the family; one iron stove used for warming the dwelling house, and fuel not exceeding the value of twenty dollars procured and designed for the use of the family.

Second. Other household furniture necessary for him and his family, not exceeding three hundred dollars in value.

Third. The Bibles, school-books, and library, used by him or his family, not exceeding fifty dollars in value.

Fourth. One cow, six sheep, one swine, and two tons of hay.

Fifth. The tools, implements, and fixtures necessary for carrying on his trade or business, not exceeding one hundred dollars in value.

Sixth. Materials and stock designed and procured by him, and necessary for carrying on his trade or business, and intended to be used or wrought therein, not exceeding one hundred dollars in value.

Seventh. Provisions necessary and procured and intended for the use of the family, not exceeding fifty dollars in value.

* * * * * * *

Ninth. The boat, fishing tackle, and nets of fishermen, actually used by them in the prosecution of their business, to the value of one hundred dollars.

* * * * * * *

Twelfth. One sewing machine, not exceeding one hundred dollars in value, in actual use by each debtor or by his family.

Thirteenth. Shares in coöperative associations * * * not exceeding twenty dollars in value in the aggregate.

CHAPTER 183.—*Exemption from attachment, etc.—Wages.*

SECTION 29. No person shall be adjudged a trustee by reason of any money or credits which are due for the wages of the personal labor or services of the wife or minor children of the defendant.

SECTION 30. When wages for the personal labor and services of a defendant are attached for a debt or demand other than for necessaries furnished to him or to his family, there shall be reserved in the hands of the trustee a sum not exceeding twenty dollars, which shall be exempt from such attachment; and when such wages are attached on a demand for such necessaries, there shall be so reserved a sum not exceeding ten dollars.

SECTION 31. When wages for personal labor or services are attached, the defendant may at any time before the entry of the writ tender to the plaintiff or to his attorney the whole amount due and recoverable in the action, with the fees of the officer for serving the writ. When such tender is made, no costs, other than such fees of the officer, shall be recovered by the plaintiff; * * *.

SECTION 32. Whoever wilfully causes, or aids and abets in causing, wages for personal services, which are exempt from attachment, to be attached by the trustee process for the purpose of unlawfully hindering or delaying the payment of such wages to the person to whom they belong, shall, on complaint of the per-

son injured thereby, or of the guardian or other person having the lawful custody of any such person who is incompetent to act, be punished by fine not exceeding fifty dollars, to be paid to the person so injured.

SECTION 39. No assignment of future earnings shall be valid against a trustee process, unless, before the service of such process upon the alleged trustee, the assignment has been recorded in the office of the clerk of the city or town where the assignor resides at the time of such record; * * *.

SECTION 87. If the wages for the personal labor and services of a person are attached by the trustee process on a claim other than for necessaries, and the plaintiff does not recover a sum amounting to five dollars as debt, he shall recover no costs of suit.

CHAPTER 192.—*Conditional sale of personal property.*

SECTION 13. When a sale of personal property is made on condition that the title to the property sold shall not pass until the price is paid in full, and the vendor takes from the vendee possession of the property for failure to comply with such condition, the vendee shall have the right, at any time within fifteen days after such taking, to redeem the property so taken by paying to the vendor the full amount of the price then unpaid, together with interest and all lawful charges and expenses due to the vendor. This section shall not apply to any sale made before the twenty-eighth day of April in the year eighteen hundred and eighty-one.

ACTS OF 1882.

CHAPTER 150.—*Seats for female employés.*

SECTION 1. Every person or corporation employing females in any manufacturing, mechanical or mercantile establishment in this Commonwealth shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SECTION 2. A person or corporation violating any of the provisions of this act shall be punished by fine of not less than ten dollars nor more than thirty dollars for each offence.

CHAPTER 244.—*Railroad and steamboat employés—Relief societies.*

SECTION 1. Seven or more persons within this Commonwealth, employés of any railroad or steamboat corporation existing under the laws of this Commonwealth, who associate themselves together by such an agreement in writing as is described in section three of chapter one hundred and fifteen of the public statutes, with the intention of forming a corporation for the purpose of receiving, managing and applying such property and funds as it may receive by contribution, assessment or otherwise, for the improvement and benefit of its members and for the relief of its members and their families in case of sickness, injury, inability to labor or other cases of need, and upon complying with the provisions of section four of said chapter shall be and remain a corporation with all the rights, powers, privileges and immunities, and subject to all the duties, liabilities and restrictions of corporations organized under said chapter.

SECTION 2. The by-laws of any such corporation shall be approved by the board of railroad commissioners and shall prescribe the manner in which and the officers and agents by whom the purpose of its incorporation may be carried out, and also the manner in which its property may be invested. Such corporation shall make to the board of railroad commissioners annually and as often as required by said board such statements of its membership and financial transactions with other information relating thereto as the said board may deem necessary to a proper exhibit of its business and standing.

SECTION 3. The board of railroad commissioners may verify such statement by an examination of the books and papers of the corporation; and whoever having charge or custody of such books and papers neglects to comply with the provisions of this section and the preceding section shall be punished by a fine not exceeding five hundred dollars.

[The following additional legislation upon the above subject was enacted in chapter 125, acts of 1886.]

SECTION 1. Any railroad corporation operating a railroad or portion of a railroad in this Commonwealth may by vote of its directors associate itself with

seven or more of its employés in forming a relief society under the provisions of chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, or may upon the invitation of any society formed under said act become a member thereof, and may from time to time aid such society by contribution to its funds or otherwise. The by-laws of such society shall provide for the manner in which the railroad corporation shall vote and be represented in said society.

SECTION 2. The funds of such relief society shall not be liable to attachment under trustee process, execution or any other process legal or equitable because of any debt or liability of the railroad corporation or any member of the society.

ACTS OF 1883.

CHAPTER 84.—*Factories—Bells, whistles, etc.*

SECTION 1. Manufacturers and others employing workmen are authorized, for the purpose of giving notice to such employés, to ring bells and use whistles and gongs of such size and weight, in such manner and at such hours as the board of aldermen of cities and the selectmen of towns may in writing designate.

CHAPTER 173.—*Elevators.*

SECTION 1. If any elevator whether used for freight or passengers shall in the judgment of the inspector of factories and public buildings of the district in which such elevator is used, or, in the city of Boston, of the inspector of buildings of said city, be unsafe or dangerous to use or has not been constructed in the manner required by law, the said inspector shall immediately placard conspicuously upon the entrance to or door of the cab or car of such elevator a notice of its dangerous condition, and prohibit the use of such elevator until made safe to the satisfaction of said inspector. Any person removing such notice or operating such elevator while such notice is placarded as aforesaid, without authority from said inspector, shall be punished by a fine of not less than ten nor more than fifty dollars for each offence.

ACTS OF 1884.

CHAPTER 52.—*Factories—Fastening of doors and windows.*

SECTION 1. No outside or inside doors of any building, wherein operatives are employed, shall be so locked, bolted or otherwise fastened during the hours of labor as to prevent free egress.

SECTION 2. Any person, firm or corporation being the owner, lessee or occupant of any such building who shall, after receiving five days' notice in writing from one of the inspectors of factories and public buildings, neglect or refuse to comply with the provisions of the preceding section, shall forfeit to the use of the Commonwealth not less than ten nor more than fifty dollars.

SECTION 3. The inspectors of factories and public buildings shall enforce the provisions of this act.

CHAPTER 181.—*Census of industries.*

SECTION 1. * * * the decennial census of the industries of the Commonwealth, shall be taken in the year 1885 and in every tenth year thereafter, under the direction of the bureau of statistics of labor, by enumerators to be appointed by said bureau * * *.

SECTION 2. The information sought by the census shall be gathered on eight general schedules, as follows: * * * schedule number two [shall relate] to manufactures; schedule number three to mining and quarrying; schedule number four to agricultural products and property and to domestic manufactures; schedule number five to the fisheries; schedule number six to commerce; * * *

* * * * * * *

SECTION 6. * * * the enumerators shall make and transmit * * * a complete list of all establishments engaged in manufacturing and trade, in mining and quarrying, in fishing and in commerce, * * *; and upon such list the statistics required by schedules numbered two, three, five, [and] six * * * shall be gath-

ered by said bureau, by mail, and of such parties who fail to make returns by mail, by such of the enumerators * * * as said bureau may designate.

SECTION 7. The information called for on schedule number four shall be gathered by such of the enumerators * * * as said bureau may designate, * * * and they shall make returns of such information on or before the fifteenth day of January following the census year.

SECTION 11. The said bureau, after it shall have gathered the facts as called for by this act, shall cause to be prepared and printed true abstracts of the same, with proper analysis, * * *, but in the reports so required no use shall be made of the names of individuals, firms or corporations supplying the information called for by this act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs, and any enumerator or employé of said bureau violating this provision, shall be fined * * * for willful deceit and falsehood.

CHAPTER 184.—*Exemption from taxation.*

SECTION 1. All property both real and personal held by the Lynn Workingmen's Aid Association, for the purposes and in accordance with the provisions of the charter of said association, shall be exempt from taxation.

CHAPTER 222.—*Safety couplers on freight cars.*

SECTION 1. Every railroad company operating a railroad or any portion of a railroad, wholly or partly within the State, shall place upon every freight car hereafter constructed or purchased by such corporation, and upon every freight car owned by such corporation, of which the coupler or drawbar is repaired by it, with intent to use such car, such forms or form of automatic or other safety coupler at each end thereof as the board of railroad commissioners may prescribe after examination and test of the same, and the railroad commissioners may annul any recommendation made by them.

SECTION 2. The provisions of this act may be enforced by the supreme judicial court on application of the attorney-general.

CHAPTER 255.—*Convict labor.*

SECTION 28, (as amended by section 7, chapter 403, acts of 1888). * * * The superintendent of said reformatory, and the general superintendent of prisons, shall endeavor to establish in said reformatory such industries, within the provisions of the requirements of chap. 447 of the acts of the year 1887, as will enable prisoners employed therein to learn valuable trades. * * *

CHAPTER 275.—*Employment, hours of labor, etc., of children.*

SECTION 1. No minor under eighteen years of age shall be employed in laboring in any mercantile establishment more than sixty hours in any one week.

SECTION 2. Whoever, either for himself, or as superintendent, overseer or other agent for another, employs or has in his employment any person in violation of the provisions of the preceding section, or who fails to post the notice required in section third, and any parent or guardian who permits any minor to be so employed shall be punished by a fine of not less than fifty nor more than one hundred dollars for each offence. Said penalty shall extend to corporations. A certificate of age of a minor, made and sworn to by him and by his parent or guardian at the time of his employment in a mercantile establishment, shall be *prima facie* evidence of his age in any trial for a violation of the preceding section.

SECTION 3. Every employer shall post in one or more conspicuous places where such persons are employed a printed notice stating the number of hours' work required of them, not exceeding ten hours in any one day, on each day of the week; and the employment of any such person for a longer time in any day than that so stated shall be deemed a violation of this act, unless it appears that such employment is to make up for time lost on some previous day of the same week.

CHAPTER 313.—*Conditional sale of personal property.*

SECTION 1. All contracts for the sale of furniture or other household effects made on condition that the title to the property sold shall not pass until the price is paid in full, whether such contract be in the form of a lease or other-

wise, shall be in writing, and a copy thereof shall be furnished the vendee by the vendor at the time of such sale; and all payments made by or in behalf of the vendee, and all charges whether in the nature of interest or otherwise as they accrue, shall be indorsed by the vendor or his agent upon such copy if the vendee so requests. If the vendor fails to comply with any of the provisions of this section through negligence, his rights under such contract shall be suspended while such default continues; and if he refuses, or wilfully or fraudulently fails to comply with any of such provisions he shall be deemed to have waived the condition of such sale.

SECTION 2. The vendor upon taking possession of such furniture or effects for noncompliance with the terms of such contract of sale, shall furnish the vendee or other person in charge of such furniture or effects an itemized statement of the account showing the amount then due thereon; and the fifteen days provided by section thirteen of chapter one hundred and ninety-two of the public statutes during which the vendee shall have the right to redeem the furniture or household effects so taken shall not begin to run until such statement is furnished: *Provided*, The vendee or other person in charge can be found by the vendor by the exercise of reasonable care and diligence.

ACTS OF 1886.

CHAPTER 87.—*Payment of wages.*

SECTION 1, (as amended by chapter 399, acts of 1887). Every manufacturing, mining or quarrying, mercantile, railroad, street railway, telegraph and telephone corporation, every incorporated express company and water company shall pay weekly each and every employee engaged in its business the wages earned by such employee to within six days of the date of said payment; and every incorporated city shall so pay every employee engaged in its business, unless such employee shall request in writing to be paid in some different manner; and every municipal corporation not a city, and every incorporated county shall so pay every employee engaged in its business, if so required by him: *Provided, however*, That if at any time of payment any employee shall be absent from his regular place of labor he shall be entitled to said payment at any time thereafter upon demand. The provisions of this section shall not apply to any employee of a coöperative corporation or association who is a stockholder therein, unless such employee shall request such corporation to pay him weekly: *And provided, also*, That the railroad commissioners, after a hearing, may exempt any railroad corporation from paying weekly any of its employees who, in the opinion of the commissioners, prefer less frequent payments, and when in their opinion the interests of the public and such employees will not be injured thereby.

SECTION 2, (as amended by chapter 399, acts of 1887). Any corporation violating any of the provisions of this act shall be punished by a fine not exceeding fifty and not less than ten dollars on each complaint under which it is convicted: *Provided*, Complaint for such violation is made within thirty days from the date thereof. The chief of the district police, or any state inspector of factories and public buildings, may bring a complaint against any corporation which neglects to comply with the provisions of this act for a period of two weeks after having been notified in writing by such chief or inspector that such complaint will be brought. On the trial of such complaint such corporation shall not be allowed to set up any defence for a failure to pay weekly any employee engaged in its business the wages earned by such employee to within six days of the date of said payment, other than the attachment of such wages by the trustee process, or a valid assignment thereof, or a valid set-off against the same, or the absence of such employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him. No assignment of future wages payable weekly under the provisions of this act shall be valid if made to the corporation from whom such wages are to become due, or to any person on behalf of such corporation, or if made or procured to be made to any person for the purpose of relieving such corporation from the obligation to pay weekly under the provisions of this act.

SECTION 3. When a corporation against which a complaint is made under this act fails to appear after being duly served with process, its default shall be recorded, the allegations in the complaint taken to be true, and judgment shall be rendered accordingly.

SECTION 4. When judgment is rendered upon any such complaint against a corporation, the court may issue a warrant of distress to compel the payment of the penalty prescribed by law, together with costs and interest.

CHAPTER 120.—*Railroads—Blocking of frogs, switches and guard rails.*

SECTION 1. Every railroad corporation, operating a railroad or part of a railroad in this commonwealth, shall before the first day of January in the year eighteen hundred and eighty-seven, adjust, fill or block the frogs, switches and guard rails on its track, with the exception of guard rails on bridges, so as to prevent the feet of its employees from being caught therein. The work shall be done to the satisfaction of the railroad commissioners evidenced by the certificate of their clerk.

SECTION 2. Any railroad corporation failing to comply with the provisions of this act shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

CHAPTER 173.—*Factories and workshops.*

SECTION 1, (as amended by chapter 179, acts of 1890). In every manufacturing establishment where the machinery used is propelled by steam, communication shall be provided between each room where such machinery is placed and the room where the engineer is stationed, by means of speaking tubes, electric bells, or appliances that may control the motive power, or such other means as shall be satisfactory to the inspectors of factories: *Provided*, That in the opinion of the inspectors such communication is necessary.

SECTION 2. The inspectors of factories shall enforce the provisions of this act, and any person, firm or corporation being the occupant of any manufacturing establishment or controlling the use of any building or room where machinery propelled by steam is used, violating the provisions of this act shall forfeit to the use of the commonwealth not less than twenty-five nor more than one hundred dollars; but no prosecution shall be made for such violation until four weeks after notice in writing by an inspector has been sent by mail to such person, firm or corporation of any changes necessary to be made to comply with the provisions of this act, nor then if in the meantime such changes have been made in accordance with such notification.

CHAPTER 174.—*Collection of statistics of manufactures.*

SECTION 1. It shall be the duty of the bureau of statistics of labor, annually, on or before the fifteenth day of December, to transmit by mail to the owner, operator or manager of every manufacturing establishment in the commonwealth, a schedule embodying inquiries as to—

(1) Name of the individual, firm or corporation.
(2) Kind of goods manufactured or business done.
(3) Number of partners or stockholders.
(4) Capital invested.
(5) Principal stock or raw material used, and total value thereof.
(6) Gross quantity and value of articles manufactured.
(7) Average number of persons employed, distinguishing as to sex, and whether adults or children.
(8) Smallest number of persons employed, and the month in which such number was employed.
(9) Largest number of persons employed, and the month in which such number was employed.
(10) Total wages, not including salaries of managers, paid during the year, distinguishing as to sex, adults and children.
(11) Proportion that the business of the year bore to the greatest capacity for production of the establishment.
(12) Number of weeks in operation during the year, partial time being reduced to full time.

SECTION 2. It shall be the duty of every owner, operator or manager of every establishment engaged in manufacturing and receiving the foregoing schedule, to answer the inquiries borne thereon for the year ending the thirty-first day of December, or for the last financial year of the establishment, and return said schedule to said bureau, with the answers therein certified as to their accuracy, on or before the twentieth day of January following the receipt of such schedule.

SECTION 3. The said bureau, annually, after it shall have gathered the facts as called for in the previous sections, shall cause to be prepared and printed true abstracts of the same, with proper and comparative analyses thereof and report

the same to the legislature; and such abstracts shall be printed compactly in one volume, * * *.

SECTION 4. No use shall be made in said reports of the names of individuals, firms or corporations, supplying the information called for by this act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs, and any agent or employee of said bureau violating this provision shall forfeit a sum not exceeding five hundred dollars, or be imprisoned for not more than one year.

CHAPTER 194.—*Exemption from attachment—Wages of seamen.*

SECTION 1. No wages or lay due or accruing to any seaman shall be subject to attachment by the trustee process; * * *

[Amended by chapter 289, acts of 1890, as follows: "Chapter one hundred and ninety-four of the acts of the year eighteen hundred and eighty-six, exempting the wages and lay of seamen from attachment by the trustee process, shall not hereafter apply to the wages or lay due or accruing to any fisherman."]

CHAPTER 209.—*Corporations—Special stock for employés.*

SECTION 1. Every corporation created under the provisions of chapter one hundred and six of the public statutes, by a vote of its general stockholders at a meeting duly called for the purpose, may issue special stock to be held only by the employees of such corporation. The par value of the shares of such special stock shall be ten dollars, and the purchasers thereof may pay for the same in monthly instalments of one dollar upon each share. Such special stock shall not exceed two-fifths of the actual capital of the corporation.

SECTION 2. Whenever a dividend is paid by such corporation to its stockholders, the holders of such special stock shall receive upon each share, which has been paid for in full in time to be entitled to a dividend, a sum which shall bear such proportion to the sum paid as a dividend upon each share of the general stock of such corporation as the par value of the shares of such special stock bears to the par value of the shares of such general stock.

SECTION 3. The shares of such special stock shall not be sold or transferred except to an employee of such corporations or to the corporation itself. Any corporation issuing such special stock may provide by its by-laws as to the number of shares which may be held by any one employee, the methods of transfer and the redemption of such stock in case any person holding the same shall cease to be an employee of the corporation.

CHAPTER 260.—*Factories—Accidents.*

SECTION 1, (as amended by chapter 83, acts of 1890). All manufacturers, manufacturing corporations and proprietors of mercantile establishments shall forthwith send to the chief of the Massachusetts district police a written notice of any accident to an employee while at work in any factory, manufacturing or mercantile establishment operated by them whenever the accident results in the death of said employee or causes bodily injury of such a nature as to prevent the person injured from returning to his work within four days after the occurrence of the accident.

SECTION 2. Any person or corporation violating any of the provisions of section one of this act shall be punished by a fine not exceeding twenty dollars.

SECTION 3. The chief of the Massachusetts district police shall keep a record of all accidents so reported to him, together with a statement of the name of the person injured, the city or town where the accident occurred, and the cause thereof, and shall include an abstract of said record in his annual report.

CHAPTER 263.—*Board of arbitration.*

SECTION 1, (as amended by chapter 269, acts of 1887, and by chapter 261, acts of 1888). The governor, with the advice and consent of the council, shall, on or before the first day of July in the year eighteen hundred and eighty-six, appoint three competent persons to serve as a state board of arbitration and conciliation in the manner hereinafter provided. One of them shall be an employer or selected from some association representing employers of labor, one of them shall be selected from some labor organization and not an employer of labor, the

third shall be appointed upon the recommendation of the other two: *Provided, however*, That if the two appointed do not agree on the third man at the expiration of thirty days, he shall then be appointed by the governor. They shall hold office for one year or until their successors are appointed. On the first day of July in the year eighteen hundred and eighty-seven the governor, with the advice and consent of the council, shall appoint three members of said board in the manner above provided, one to serve for three years, one for two years and one for one year, or until their respective successors are appointed; and on the first day of July in each year thereafter the governor shall in the same manner appoint one member of said board to succeed the member whose term then expires, and to serve for the term of three years, or until his successor is appointed. If a vacancy occurs at any time, the governor shall in the same manner appoint some one to serve out the unexpired term; and he may in like manner remove any member of said board. Each member of said board shall, before entering upon the duties of his office, be sworn to a faithful discharge thereof. They shall at once organize by the choice of one of their number as chairman. Said board may appoint and remove a clerk of the board, who shall receive such salary as may be allowed by the board, but not exceeding twelve hundred dollars a year.

SECTION 2. The board shall, as soon as possible after its organization, establish such rules of procedure as shall be approved by the governor and council.

SECTION 3, (as amended by chapter 269, acts of 1887). Whenever any controversy or difference, not involving questions which may be the subject of a suit at law or bill in equity, exists between an employer, whether an individual, copartnership or corporation, and his employees, if at the time he employs not less than twenty-five persons in the same general line of business in any city or town in this commonwealth, the board shall, upon application as hereinafter provided, and as soon as practicable thereafter, visit the locality of the dispute and make careful inquiry into the cause thereof, hear all persons interested therein who may come before them, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust said dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept by the secretary of said board, and a short statement thereof published in the annual report hereinafter provided for, and the said board shall cause a copy thereof to be filed with the clerk of the city or town where said business is carried on.

SECTION 4, (as amended by chapter 269, acts of 1887 and chapter 385, acts of 1890). Said application shall be signed by said employer, or by a majority of his employees in the department of the business in which the controversy or difference exists or their duly authorized agent or by both parties, and shall contain a concise statement of the grievances complained of, and a promise to continue on in business or at work without any lockout or strike until the decision of said board, if it shall be made within three weeks of the date of filing said application. When an application is signed by an agent claiming to represent a majority of such employees, the board shall satisfy itself that such agent is duly authorized in writing to represent such employees, but the names of the employees giving such authority shall be kept secret by said board. As soon as may be after the receipt of said application the secretary of said board shall cause public notice to be given of the time and place for the hearing thereon; but public notice need not be given when both parties to the controversy join in the application and present therewith a written request that no public notice be given. When such request is made, notice shall be given to the parties interested in such manner as the board may order, and the board may at any stage of the proceedings, cause public notice to be given, notwithstanding such request. When notice has been given as aforesaid, each of the parties to the controversy, the employer on the one side, and the employees interested on the other side, may in writing nominate, and the board may appoint, one person to act in the case as expert assistant to the board. The two persons so appointed shall be skilled in and conversant with the business or trade concerning which the dispute has arisen. It shall be their duty, under the direction of the board to obtain and report to the board information concerning the wages paid and the methods and grades of work prevailing in manufacturing establishments within the commonwealth of a character similar to that in which the matters in dispute may have arisen. Said expert assistants shall be sworn to the faithful discharge of their duty; such oath to be administered by any member of the board, and a record thereof shall be preserved with the record of the proceedings in the case. They shall be entitled to receive from the treasury of the commonwealth such compensation as shall be allowed and certified by the board, together with all nec-

essary traveling expenses. Nothing in this act shall be construed to prevent the board from appointing such other additional expert assistant or assistants as it may deem necessary. Should the petitioner or petitioners fail to perform the promise made in said application, the board shall proceed no further thereupon without the written consent of the adverse party. The board shall have power to summon as witness any operative in the departments of business affected and any person who keeps the records of wages earned in those departments, and to examine them under oath, and to require the production of books containing the record of wages paid. Summonses may be signed and oaths administered by any member of the board.

SECTION 5. Upon the receipt of such application and after such notice, the board shall proceed as before provided and render a written decision, which shall be open to public inspection, shall be recorded upon the records of the board and published at the discretion of the same, in an annual report to be made to the general court on or before the first day of February in each year.

SECTION 6. Said decision shall be binding upon the parties who join in said application for six months, or until either party has given the other notice in writing of his intention not to be bound by the same at the expiration of sixty days therefrom. Said notice may be given to said employees by posting the same in three conspicuous places in the shop or factory where they work.

SECTION 7, (as amended by chapter 269, acts of 1887). The parties to any controversy or difference as described in section three of this act may submit the matters in dispute, in writing, to a local board of arbitration and conciliation; such board may either be mutually agreed upon, or the employer may designate one of the arbitrators, the employees or their duly authorized agent another, and the two arbitrators so designated may choose a third, who shall be chairman of the board. Such board shall, in respect to the matters referred to it, have and exercise all the powers which the state board might have and exercise, and its decision shall have whatever binding effect may be agreed by the parties to the controversy in the written submission. The jurisdiction of such board shall be exclusive in respect to the matters submitted to it, but it may ask and receive the advice and assistance of the state board. The decision of such board shall be rendered within ten days of the close of any hearing held by it; such decision shall at once be filed with the clerk of the city or town in which the controversy or difference arose, and a copy thereof shall be forwarded to the state board. Each of such arbitrators shall be entitled to receive from the treasury of the city or town in which the controversy or difference that is the subject of the arbitration exists, if such payment is approved in writing by the mayor of such city or the board of selectmen of such town, the sum of three dollars for each day of actual service, not exceeding ten days for any one arbitration. Whenever it is made to appear to the mayor of a city or the board of selectmen of a town that a strike or lockout such as described in section eight of this act is seriously threatened or actually occurs, the mayor of such city or the board of selectmen of such town shall at once notify the state board of the facts.

SECTION 8, (as amended by chapter 269, acts of 1887). Whenever it shall come to the knowledge of the state board, either by notice from the mayor of a city or the board of selectmen of a town, as provided in the preceding section or otherwise, that a strike or lockout is seriously threatened or has actually occurred in any city or town of the commonwealth, involving an employer and his present or past employees, if at the time he is employing, or up to the occurrence of the strike or lockout was employing not less than twenty-five persons in the same general line of business in any city or town in the commonwealth, it shall be the duty of the state board to put itself in communication as soon as may be with such employer and employees, and endeavor by mediation to effect an amicable settlement between them, or to endeavor to persuade them, provided that a strike or lockout has not actually occurred or is not then continuing, to submit the matters in dispute to a local board of arbitration and conciliation, as above provided, or to the state board; and said state board may, if it deems it advisable, investigate the cause or causes of such controversy and ascertain which party thereto is mainly responsible or blameworthy for the existence or continuance of the same, and may make and publish a report finding such cause or causes and assigning such responsibility or blame. The board shall have the same powers for the foregoing purposes as are given it by section three of this act.

SECTION 9. Witnesses summoned by the State board shall be allowed the sum of fifty cents for each attendance, and the further sum of twenty-five cents for each hour of attendance in excess of two hours and shall be allowed five cents a

mile for travel each way from their respective places of employment or business to the place where the board is in session. Each witness shall certify in writing the amount of his travel and attendance, the amount due him shall be paid forthwith by the board, and for such purpose the board shall be entitled to draw from the treasury of the commonwealth as provided for in chapter one hundred and seventy-nine of the acts of the year eighteen hundred and eighty-four.

ACTS OF 1887.

CHAPTER 103.—*Factories and workshops—Health of employés.*

SECTION 1, (as amended by chapter 305, acts of 1888). Every factory in which five or more persons are employed, and every factory, workshop, mercantile or other establishment or office in which two or more children, young persons or women are employed, shall be kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance, and shall be provided, within reasonable access, with a sufficient number of proper water-closets, earth-closets or privies for the reasonable use of the persons employed therein; and wherever two or more male persons and two or more female persons are employed as aforesaid together, a sufficient number of separate and distinct water-closets, earth-closets, or privies shall be provided for the use of each sex and plainly so designated, and no person shall be allowed to use any such closet or privy assigned to persons of the other sex.

SECTION 2, (as amended by chapter 305, acts of 1888). It shall be the duty of every owner, lessee or occupant of any premises so used as to come within the provisions of this act to carry out the same and make the changes necessary therefor. In case such changes are made upon the order of an inspector of factories by the occupant or lessee of the premises he may at any time within thirty days of the completion thereof bring an action before any trial justice, police, municipal or district court against any other person having an interest in such premises, and may recover such proportion of the expense of making such changes as the court adjudges should justly and equitably be borne by such defendant.

SECTION 3. When it appears to an inspector of factories that any act, neglect or default in relation to any drain, water-closet, earth-closet, privy, ash-pit, water-supply, nuisance or other matter in a factory or in a workshop included under section one of this act, is punishable or remediable under chapter eighty of the public statutes, or under any law of the commonwealth relating to the preservation of the public health, but not under this act, such inspector shall give notice in writing of such act, neglect or default to the board of health of the city or town within which such factory or workshop is situate, and it shall thereupon be the duty of such board of health to make inquiry into the subject of the notice, and to take such action thereon in the way of enforcing any provision of law within its authority as the facts may call for.

SECTION 4. Any person violating any provision of sections one and two of this act shall be punished by fine not exceeding one hundred dollars; but no criminal prosecution shall be made for such violation until four weeks after notice in writing by an inspector of factories of the changes necessary to be made to comply with the provisions of said sections has been sent by mail or delivered to such person, nor then if in the meantime such changes have been made in accordance with such notification. A notice shall be deemed a sufficient notice under this section to all the members of a firm or to a corporation, when given to one member of such firm, or to the clerk, cashier, secretary, agent or any other officer having charge of the business of such corporation or to its attorney; and in the case of a foreign corporation notice to the officer having the charge of such factory or workshop shall be sufficient; and such officer shall be personally liable for the amount of any fine in case a judgment against the corporation is returned unsatisfied.

SECTION 5. The following expressions used in this act shall have the following meanings: The expression "person" means any individual, corporation, partnership, company or association. The expression "child" means a person under the age of fourteen years. The expression "young person" means a person of the age of fourteen years and under the age of eighteen years. The expression "woman" means a woman of eighteen years of age and upwards. The expression "factory" means any premises where steam, water or other mechanical power is used in aid of any manufacturing process there carried on. The expression "workshop" means any premises, room or place, not being a factory as above defined, wherein any manual labor is exercised by way of trade

or for purposes of gain in or incidental to any process of making, altering, repairing, ornamenting, finishing or adapting for sale any article or part of an article, and to which or over which premises, room or place the employer of the persons working therein has the right of access or control: *Provided, however*, That the exercise of such manual labor in a private house or private room by the family dwelling therein, or by any of them, or in case a majority of the persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition. The aforesaid expressions shall have the meanings above defined for them respectively in all laws of this commonwealth relating to the employment of labor, whether heretofore or hereafter enacted, unless a different meaning is plainly required by the context.

CHAPTER 121.—*Employment of children.*

SECTION 1. No child under the age of fourteen years shall be permitted to clean any part of the machinery in a factory while such part is in motion by the aid of steam, water or other mechanical power, or to clean any part of such machinery that is in dangerous proximity to such moving part.

SECTION 2. Whoever, either for himself or as superintendent, overseer or other agent of another, violates the provisions of the preceding section shall be punished by a fine of not less than fifty nor more than one hundred dollars for each offence.

CHAPTER 173.—*Factories and workshops—Health of employés.*

SECTION 1. Every factory in which five or more persons are employed, and every workshop in which children, young persons or women, five or more in number, are employed, shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to be injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, so far as is practicable, all the gases, vapors, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

SECTION 2. If in a factory or workshop included in section one of this act any process is carried on by which dust is generated and inhaled to an injurious extent by the persons employed therein, and it appears to an inspector of factories that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, and that the same could be provided without excessive expense, such inspector may direct a fan or other mechanical means of a proper construction to be provided within a reasonable time, and such fan or other mechanical means shall be so provided, maintained and used.

SECTION 3. Any person employing labor in a factory or workshop and violating any provision of this act shall be punished by fine not exceeding one hundred dollars; but no criminal prosecution shall be made for any such violation unless such employer shall have neglected for four weeks to make such changes in his factory or workshop as shall have been ordered by an inspector of factories by a notice in writing delivered to or received by such employer.

CHAPTER 215.—*Employment of women and children—Meal times.*

SECTION 1. All children, young persons and women, five or more in number, employed in the same factory shall be allowed their meal time or meal times at the same time: *Provided, however*, That any children, young persons or women who begin work in such factory at a later hour in the morning than the other children, young persons and women employed therein may be allowed their meal time or meal times at a different time, but no such children, young persons or women shall be employed during the regular meal hour in tending the machines, or doing the work of any other children, young persons or women in addition to their own.

SECTION 2. No child, young person or woman shall be employed in a factory or workshop, in which five or more children, young persons and women are employed, for more than six hours at one time without an interval of at least half an hour for a meal: *Provided, however*, That a child, young person or woman may be so employed for not more than six and one-half hours at one time if such employment ends at an hour not later than one o'clock in the afternoon, and if such child, young person or woman is then dismissed from the factory or workshop for the remainder of the day, or for not more than seven and one-half hours at

one time, if such child, young person or woman is allowed sufficient opportunity for eating a lunch during the continuance of such employment, and if such employment ends at an hour not later than two o'clock in the afternoon and such child, young person or woman is then dismissed from the factory or workshop for the remainder of the day.

SECTION 3. This act shall not apply to iron works, glass works, paper mills, letter-press printing establishments, print works, bleaching works or dyeing works; and the chief of the district police, where it is proved to his satisfaction that in any other class of factories or workshops it is necessary, by reason of the continuous nature of the process, or of special circumstances affecting such class, to exempt such class from the provisions of this act, and that such exemption can be made without injury to the health of the children, young persons and women affected thereby, may, with the approval of the governor of the commonwealth, issue a certificate granting such exemption, public notice whereof shall be given in the manner directed by said chief, without expense to the commonwealth.

SECTION 4. The following expressions used in this act shall have the following meanings: The expression "iron works" means any mill, forge or other premises in or on which any process is carried on for converting iron into malleable iron, steel or tin plate, or for otherwise making or converting steel. The expression "glass works" means any premises in which the manufacture of glass is carried on. The expression "paper mills" means any premises in which the manufacture of paper is carried on. The expression "letter-press printing establishments" means any premises in which the process of letter-press printing is carried on. The expression "print works" means any premises in which is carried on the process of printing figures, patterns or designs upon any cotton, linen, woolen, worsted or silken yarn or cloth, or upon any woven or felted fabric not being paper. The expression "bleaching works" means any premises in which the process of bleaching any yarn or cloth of any material is carried on. The expression "dyeing works" means any premises in which the process of dyeing any yarn or cloth of any material is carried on.

SECTION 5, (as amended by chapter 330, acts of 1887). Whoever, either for himself or as superintendent, overseer or other agent of another, violates any of the provisions of this act shall be punished by fine of not less than fifty nor more than one hundred dollars: *Provided, however*. That if any minor under eighteen years of age, or any woman, shall, without the orders, consent or knowledge of the employer, or of any superintendent, overseer, or other agent of the employer, labor in a factory or workshop during any part of any time allowed for dinner or for other meals in such factory or workshop, according to the notice required by law, and if a copy of such notice was posted in a conspicuous place in the room where such labor took place, together with a rule of the establishment forbidding such minor or woman to labor during such time, then neither the employer, nor any superintendent, overseer, or other agent of the employer, shall be held responsible for such labor.

CHAPTER 263.—*Labor Day.*

SECTION 1. The first Monday of September in each year, being the day celebrated and known as Labor's Holiday, is hereby made a legal public holiday, to all intents and purposes, in the same manner as Thanksgiving, Fast and Christmas days, the twenty-second of February, the thirtieth day of May and the fourth day of July, are now by law made public holidays.

CHAPTER 270.—*Liability of employer for injuries of employés.*

SECTION 1. Where, after the passage of this act, personal injury is caused to an employé, who is himself in the exercise of due care and diligence at the time:

(1) By reason of any defect in the condition of the ways, works or machinery connected with or used in the business of the employer, which arose from or had not been discovered or remedied owing to the negligence of the employer or of any person in the service of the employer and entrusted by him with the duty of seeing that the ways, works or machinery were in proper condition; or

(2) By reason of the negligence of any person in the service of the employer, entrusted with and exercising superintendence, whose sole or principal duty is that of superintendence.

(3) By reason of the negligence of any person in the service of the employer who has the charge or control of any signal, switch, locomotive engine or train upon a railroad, the employé, or in case the injury results in death, the legal

representatives of such employé, shall have the same right of compensation and remedies against the employer as if the employé had not been an employé of nor in the service of the employer, nor engaged in its work.

SECTION 2. Where an employé is instantly killed or dies without conscious suffering, as the result of the negligence of an employer, or of the negligence of any person for whose negligence the employer is liable under the provisions of this act, the widow of the deceased, or in case there is no widow, the next of kin, provided that such next of kin were at the time of the death of such employé dependent upon the wages of such employé for support, may maintain an action for damages therefor and may recover in the same manner, to the same extent as if the death of the deceased had not been instantaneous, or as if the deceased had consciously suffered.

SECTION 3, (as amended by chapter 155, acts of 1888). The amount of compensation receivable under this act in cases of personal injury shall not exceed the sum of four thousand dollars. In case of death, compensation in lieu thereof may be recovered in not less than five hundred and not more than five thousand dollars, to be assessed with reference to the degree of culpability of the employer herein, or the person for whose negligence he is made liable; and no action for the recovery of compensation for injury or death under this act shall be maintained, unless notice of the time, place and cause of the injury is given to the employer within thirty days, and the action is commenced within one year, from the occurrence of the accident causing the injury or death. The notice required by this section shall be in writing, signed by the person injured or by some one in his behalf; but if from physical or mental incapacity it is impossible for the person injured to give the notice within the time provided in said section, he may give the same within ten days after such incapacity is removed, and in case of his death without having given the notice and without having been for ten days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give such notice within thirty days after his appointment. * * *

SECTION 4. Whenever an employer enters into a contract, either written or verbal, with an independent contractor to do part of such employer's work, or whenever such contractor enters into a contract with a sub-contractor to do all or any part of the work comprised in such contractor's contract with the employer, such contract or sub-contract shall not bar the liability of the employer for injuries to the employés of such contractor or sub-contractor, by reason of any defect in the condition of the ways, works, machinery or plant, if they are the property of the employer, or furnished by him, and if such defect arose or had not been discovered or remedied, through the negligence of the employer or of some person entrusted by him with the duty of seeing that they were in proper condition.

SECTION 5. An employé or his legal representatives shall not be entitled under this act to any right of compensation or remedy against his employer in any case where such employé knew of the defect or negligence which caused the injury, and failed within a reasonable time to give, or cause to be given, information thereof to the employer, or to some person superior to himself in the service of the employer, who had entrusted to him some general superintendence.

SECTION 6. Any employer who shall have contributed to an insurance fund created and maintained for the mutual purpose of indemnifying an employé for personal injuries for which compensation may be recovered under this act, or to any relief society formed under chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, as authorized by chapter one hundred and twenty-five of the acts of the year eighteen hundred and eighty-six, may prove, in mitigation of the damages recoverable by an employé under this act, such proportion of the pecuniary benefit which has been received by such employé from any such fund or society on account of such contribution of said employer as the contribution of such employer to such fund or society bears to the whole contribution thereto.

SECTION 7. This act shall not apply to injuries caused to domestic servants, or farm laborers, by other fellow employés, * * *.

CHAPTER 361.—*Fines for imperfect weaving.*

SECTION 1. No person or corporation shall be entitled * * * to retain any part of the wages of any weaver in his or its employ by way of fine or deduction for imperfect weaving, except in accordance with a written or printed list of fines posted in a conspicuous place in the weaving room, nor unless such imperfect weaving was due to the wilfulness, incapacity or negligence of such weaver,

nor unless the imperfection was discovered when the cloth was first examined and was shown to such weaver forthwith; nor shall the amount so retained exceed in any case the actual damage or loss caused to the employer by the imperfection.

SECTION 2. In an action for the recovery of wages the plaintiff shall not be entitled to take advantage of the provisions of this act unless within three days of the time, when he was notified of the amount of the fine imposed upon him, he gave notice to his employer or his superintendent or overseer that such action would be brought, nor unless such action was actually brought within thirty days of such time.

CHAPTER 433.—*Employment of children.*

SECTION 2, (as amended by chapter 135, acts of 1889). Every person who regularly employs, or permits to be employed, a minor fourteen years of age, or over, who can not read and write in the English language, providing such minor has been, since reaching the age of fourteen years, for one year continuously a resident of a city or town in this commonwealth wherein public evening schools are maintained, and is not a regular attendant of a day school, or has not attained an attendance of seventy per cent. or more of the yearly session of the evening school, shall, for every such offence, forfeit not less than fifty nor more than one hundred dollars, for the use of the evening schools of such city or town.

SECTION 3, (as amended by chapter 48, acts of 1890). Whenever it appears that the labor of any minor who would be debarred from employment under section two of this act and amendments thereto, is necessary for the support of the family to which said minor belongs, or for his own support, the school committee of said city or town may, in the exercise of their discretion, issue a permit authorizing the employment of such minor within such time or times as they may fix: *Provided*, Such minor make application to said school committee, or some person duly authorized by said committee, for such a permit before the opening of the yearly session of the evening school of said city or town; and the provisions of said section two shall not apply to such minor so long as said permit is in force: *Provided also*, That if such minor has been prevented by sickness or injury from attending said evening school, * * * the school committee shall issue to such minor the permit provided for in this section, upon the presentation of the following blank properly filled and signed:

To the school committee of the ———.

I hereby certify that I have attended ——— from ——— to ———; that said ——— was sick or injured with ———; and that said ——— was not in suitable physical condition to attend evening school for the term of ——— days.

(Signed) ———,
Attending Physician.

Dated ——— ———.

* * * * * * *

SECTION 4. Two weeks next before the opening of each term of the evening schools, the school committee shall, by posters posted in three or more public places of said city or town, give notice of the location of said schools, the date of the commencement of the term, the evenings of the week during which said schools shall be kept, the provisions of section two of this act as to forfeiture for non-compliance with said section, and such regulations as to attendance as they shall deem proper.

CHAPTER 447.—*Convict labor—Contract system prohibited, etc.*

SECTION 1. No contract shall hereafter be made for the labor of prisoners confined in the state prison, reformatories or any of the houses of correction; but such prisoners shall be employed * * * in such industries as shall from time to time be fixed upon * * *. The warden * * * shall purchase such tools and implements as he * * * shall consider necessary for carrying on said industries.

SECTION 2. The warden, superintendent or master may employ such number of persons as he and said general superintendent shall consider necessary to superintend and instruct said prisoners in said industries. * * *

SECTION 5. No new machinery to be propelled by other than hand or foot power shall be used in any such institution.

SECTION 8. The number of prisoners employed in a single industry at the same time in any institution, shall not exceed one-twentieth of the number of persons employed in such industry in the state, according to the classification given in the last census preceding such employment, unless such number is necessary to produce materials to be supplied in state and county institutions as provided in section 13 hereof: * * * but not more than two hundred and fifty prisoners shall be employed in any one industry at the same time.

SECTION 9. The general superintendent or the warden or master under his supervision shall purchase the materials to be used in manufacturing as aforesaid, and sell such manufactured goods as shall be produced in the prison, reformatory or house of correction. * * *

SECTION 13. The general superintendent shall, as far as may be, have manufactured in the state prison, reformatories and houses of correction such articles as are in common use in the several state and county institutions. He shall, from time to time, notify the officers of such institutions, having charge of the purchase of supplies, of such goods as he has remaining in hand, and such officers shall, as far as may be, purchase of said articles as are necessary to the maintenance of the institutions which they may represent. The articles manufactured in said prison, reformatory or house of correction shall be sold at the wholesale market price of goods of like kind and grade.

[Added by chapter 22, acts of 1888.]

The words "contract for the labor of prisoners," used in chapter 447 of the acts of the year 1887, shall not be construed as applying to a contract for the manufacture of articles by the piece, under what is known as the "piece-price system," with persons who furnish the materials used in such manufacture. * * *

ACTS OF 1888.

CHAPTER 134.—*Incorporation of labor organizations.*

SECTION 1. Seven or more persons within this commonwealth, who associate themselves together by such an agreement in writing as is described in section three of chapter 115 of the public statutes, with the intention of forming a corporation for the purpose of improving in any lawful manner the condition of any employés in any one or more lawful trades or employments, either in respect to their employment, or by the promotion of education, temperance, morality or social intercourse, by the payment of benefits to members when sick or unemployed, or to persons dependent upon deceased members, or otherwise, shall, upon complying with the provisions of said chapter 115 of the public statutes and of this act, be and remain a corporation. The provisions of said chapter, so far as not inconsistent with this act, shall apply to corporations formed under this act.

SECTION 2. The commissioner of corporations shall not endorse his approval upon the certificate of organization of any corporation formed under this act unless satisfied that the agreement of association shows that the purpose of such corporation is a lawful one, nor unless satisfied that its by-laws contain no provision contrary to law, and such commissioner may call for the opinion of the attorney-general thereon; nor shall such commissioner so endorse his approval unless satisfied that the by-laws conform to the requirements of the two following sections of this act.

SECTION 3. The by-laws of every corporation formed under this act shall contain clear and distinct provisions in respect to the following matters: The manner of electing or admitting new members; the manner of expelling members; the officers of the corporation, with their respective titles, duties, powers and terms of office; the manner of electing and removing such officers; the number of members required to constitute a quorum for the transaction of business; the manner of calling special meetings of the corporation; the manner of rescinding or amending by-laws and making new ones; the purposes for which the funds of the corporation shall be applicable; the purposes for which assessments may be laid upon members; the conditions under which a member, or persons dependent on a deceased member, shall be entitled to benefits, if any are to be given by the corporation; the manner in which a fine or forfeiture can be imposed upon a member, if any are to be imposed by the corporation; the manner in which the funds of the corporation are to be held, deposited or invested; the manner in which the accounts of the treasurer are to be periodically audited; and

the manner of voting upon shares of stock, if any capital stock is to be issued by the corporation.

SECTION 4. No by-laws of a corporation formed under this act shall be rescinded or amended, and no new by-law shall be made unless notice of such proposed action has been given at a previous meeting of the corporation, and no such rescinding, amendment or new by-law shall take effect until approved by the commissioner of corporations as not inconsistent with the provisions of this act. No member of such corporation shall be expelled by vote of less than a majority of all the members thereof, nor by a vote of less than three-quarters of the members present and voting upon such expulsion. Every member of such corporation and every person having an interest in its funds shall be entitled to examine its books and records.

CHAPTER 316.—*Construction of factories.*

SECTION 1. * * * no building more than two stories in height designed to be used above the second story, in whole or in part, as a factory, workshop or mercantile or other establishment and having accommodations for ten or more employés above said story, * * * shall hereafter be erected, * * * until a copy of the plans of such building has been deposited with the inspector of factories and public buildings for the district in which such building is to be located, if outside of the city of Boston, or with the inspector of buildings of the city of Boston, if within said city, together with a copy of such portion of the specifications of such building as such inspector may require, nor shall any such building be so erected without the provision of sufficient ways of egress and other means of escape from fire, properly located and constructed; the certificate of the inspector above named endorsed, if the building is to be located outside of the city of Boston, with the approval of the chief of the district police force, shall be conclusive evidence of a compliance with the provisions of this act, provided that after the granting of such certificate no change is made in the plans or specifications of such ways of egress and means of escape unless a new certificate is obtained therefor. Such inspector may require that proper fire stops shall be provided in the floors, walls and partitions of such buildings and may make such further requirements as may be necessary or proper to prevent the spread of fire therein or its communication from any steam boiler or heating apparatus; and no pipe for conveying hot air or steam in such building shall be placed nearer than one inch to any wood work unless protected to the satisfaction of such inspector by suitable guards or casings of incombustible material, and no wooden flue or air-duct for heating or ventilating purposes shall be placed in any such building.

SECTION 2. Any person erecting or constructing a building in violation of the provisions of this act shall be punished by fine of not less than fifty nor more than one thousand dollars, and such erection or construction may be enjoined in a proceeding to be had before the superior or supreme judicial court at the instance of the inspector above named, and upon the filing of a petition for such injunction any justice of the court in which such proceeding is pending may issue a temporary injunction or restraining order, as provided in proceedings in equity.

CHAPTER 348.—*Employment of children.*

SECTION 1. No child under thirteen years of age shall be employed at any time in any factory, workshop or mercantile establishment. No such child shall be employed in any indoor work, performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of the city or town in which he resides are in session, or shall be employed in any manner during such hours unless during the year next preceding such employment he has attended school for at least twenty weeks as required by law.

SECTION 2. No child under fourteen years of age shall be employed in any manner before the hour of six o'clock in the morning or after the hour of seven o'clock in the evening. No such child shall be employed in any factory, workshop or mercantile establishment, except during the vacation of the public schools in the city or town where he resides, unless the person or corporation employing him procures and keeps on file a certificate and employment ticket for such child as prescribed by section four of this act, and no such child shall be employed in any indoor work, performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of such city or town are in session, unless as aforesaid, or shall be employed in any manner

during such hours unless during the year next preceding such employment he has attended school for at least twenty weeks as required by law; and such employment shall not continue in any case beyond the time when such certificate expires. The chief of the district police, with the approval of the governor, shall have authority to designate any kind or kinds of employment in factories, workshops or mercantile establishments as injurious to the health of children under fourteen years of age employed therein, and after one week's written notice from the said chief to the employer or his superintendent, overseer or other agent of such designation no such child shall be employed in any such kind or kinds of employment in any factory, workshop or mercantile establishment.

SECTION 3. No child under sixteen years of age shall be employed in any factory, workshop or mercantile establishment unless the person or corporation employing him procures and keeps on file the certificate required in the case of such child by the following section, and also keeps on file a full and complete list of such children employed therein.

SECTION 4. The certificate of a child under fourteen years of age shall not be signed until he presents to the person authorized to sign the same an employment ticket, as hereinafter prescribed, duly filled out and signed. The certificate and the employment ticket shall be separately printed, and shall be in the following forms respectively, and the blanks therein shall be filled out and signed as indicated by the words in brackets:

EMPLOYMENT TICKET, LAW OF 1888.

When [name of child], height [feet and inches], complexion [fair or dark], hair [color], presents a certificate duly signed, I intend to employ [him or her.]

[Signature of intending employer or agent.]

[Town or city and state.]

AGE AND SCHOOLING CERTIFICATE, LAW OF 1888.

This certifies that I am the [father, mother or guardian] of [name of child], and that [he or she] was born at [name of town or city], in the county of [name of county, if known,] and state [or country] of [name], on the [day and year of birth], and is now [number of years and months] old.

[Signature of father, mother or guardian.]

[Town or city and date.]

Then personally appeared before me the above-named [name of person signing] and made oath that the foregoing certificate by [him or her] signed is true to the best of [his or her] knowledge and belief. I hereby approve the foregoing certificate of [name of child], height [feet and inches], complexion [fair or dark], hair [color] having no sufficient reason to doubt that [he or she] is of the age therein certified.

[Signature of person authorized to sign, with official character or authority.]

[Town or city and date.]

In case the age of the child is under fourteen, the certificate shall continue as follows, after the word "certified":—And I hereby certify that [he or she] can read at sight, and can write legibly, simple sentences in the English language, and that [he or she] has attended the [name] public [or private] day school according to law for [number of weeks, which must be at least twenty] weeks during the year next preceding this date, and that the last twenty weeks of such attendance began [date]. This certificate expires [date, one year later than above date].

[Signature of the person authorized to sign, with official character or authority.]

If attendance has been at a private school, also signature of a teacher of such school, followed by words, certifying to school attendance.

[Town or city and date.]

In case a child cannot read and write as above stated, the following may be substituted for the clause beginning "and I hereby certify" through to and including the word "language:" "And I hereby certify that [he or she] is a regular attendant at the [name] public evening school;" but in such case the certificate shall only continue in force for as long a time as attendance of such child at

such evening school is endorsed weekly during the session of such evening school, not exceeding the length of the public school year minus twenty weeks in place of attendance at day school as now provided by law, with a statement from a teacher thereof certifying that his attendance continues regular. If attendance has been at a half time school, forty weeks of such attendance must be certified to instead of twenty. The foregoing certificate must be filled out in duplicate, and one copy thereof shall be kept on file by the school committee. Any explanatory matter may be printed with such certificate in the discretion of the school committee or superintendent of schools.

[The above section is amended by the following act of 1890:

Chap. 299, acts of 1890, section 1.—The following words shall appear on all age and schooling certificates enumerated in section four of chapter three hundred and forty-eight of the acts of the year eighteen hundred and eighty-eight, after the name of the town or city and date: This certificate belongs to the person in whose behalf it has been drawn, and it shall be surrendered to (him or her) when ever (he or she) leaves the service of the corporation or employer holding the same; and any such corporation or employer refusing to so deliver the same shall be punished by a fine of ten dollars.

Section 2. Any corporation or employer holding any age or schooling certificate enumerated in section four of chapter three hundred and forty-eight of the acts of the year eighteen hundred and eighty-eight and refusing to deliver the same to the person in whose behalf it has been drawn, when such person shall leave the employ of said corporation or employer, shall be punished by a fine of ten dollars.]

SECTION 5. In cities and towns having a superintendent of schools, said certificate shall be signed only by such superintendent, or by some person authorized by him in writing; in other cities and towns it shall be signed by some member or members of the school committee authorized by vote thereof: *Provided, however*, That no member of a school committee, or other person authorized as aforesaid shall have authority to sign such certificate for any child then in, or about to enter, his own employment, or the employment of a firm of which he is a member, or of a corporation of which he is an officer or employé. The person signing the certificate shall have authority to administer the oath provided for therein, but no fee shall be charged therefor; such oath may also be administered by any justice of the peace.

SECTION 6. The certificate as to the birthplace and age of a child shall be signed by his father if living and a résident of the same city or town: if not by his mother; or if his mother is not living, or if living is not a resident of the same city or town, by his guardian; if a child has no father, mother or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same.

SECTION 7, (as amended by chapter 291, acts of 1889). No child who has been continuously a resident of a city or town since reaching the age of thirteen years shall be entitled to receive a certificate that he has reached the age of fourteen unless or until he has attended school according to law in such city or town for at least twenty weeks since reaching the age of thirteen, unless such child can read at sight and write legibly simple sentences in the English language or is exempted by law from such attendance. Before signing the approval of the certificate of age of a child, the person authorized to sign the same shall refer to the last school census taken under the provisions of section three of chapter 46 of the public statutes, and if the name of such child is found thereon, and there is a material difference between his age as given therein and as given by his parent or guardian in the certificate, allowing for lapse of time, or if such child plainly appears to be of materially less age than that so given, then such certificate shall not be signed until a copy of the certificate of birth or of baptism of such child, or a copy of the register of its birth with a town or city clerk, has been produced, or other satisfactory evidence furnished that such child is of the age stated in the certificate.

SECTION 8. The truant officers may, when so authorized and required by vote of the school committee, visit the factories, workshops and mercantile establishments in their several cities and towns, and ascertain whether any children under the age of fourteen are employed therein contrary to the provisions of this act, and they shall report any cases of such illegal employment to the school committee and to the chief of the district police or the inspector of factories for the district. The inspector of factories, and the truant officers when authorized as aforesaid, may demand the names of all children under sixteen years of age employed in such factories, workshops and mercantile establishments, and may re-

quire that the certificates and lists of such children provided for in this act shall be produced for their inspection. Such truant officers shall inquire into the employment, otherwise than in such factories, workshops and mercantile establishments, of children under the age of fourteen years, during the hours when the public schools are in session, and may require that the aforesaid certificates of all children under sixteen shall be produced for their inspection; and any such officer, or any inspector of factories, may bring a prosecution against a person or corporation employing any such child, otherwise than as aforesaid, during the hours when the public schools are in session, contrary to the provisions of this act, if such employment still continues one week after written notice from such officer or inspector that such prosecution will be brought, or if more than one such written notice, whether relating to the same child or to any other child has been given to such employer by a truant officer or inspector of factories at any time within one year.

SECTION 9. Every parent or guardian of a child under fourteen years of age who permits any employment of such child contrary to the provisions of this act, and every owner, superintendent or overseer of any factory, workshop or mercantile establishment who employs or permits to be employed therein any child contrary to the provisions of this act, and any other person who employs any child contrary to the provisions of this act, shall for every such offence forfeit not less than twenty nor more than fifty dollars for the use of the public schools of the city or town. Every parent, guardian, or person authorized to sign the certificate prescribed by section four of this act, who certifies to any materially false statement therein, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. A failure to produce to a truant officer or inspector of factories the certificate required by the provisions of this act shall be *prima facie* evidence of the illegal employment of the child whose certificate is not produced.

SECTION 10. The expressions "factory" and "workshop" used in this act shall have the meanings defined for them respectively by chapter one hundred and three of the acts of the year one thousand eight hundred and eighty-seven.

CHAPTER 390.—*Exemption from sale for taxes.*

SECTION 12. If a person refuses or neglects for fourteen days after demand, to pay his tax, the collector shall, * * * levy the same by distress or seizure and sale of his goods, * * * excepting the following goods: The tools or implements necessary for his trade or occupation; beasts of the plow necessary for the cultivation of his improved land; military arms; utensils for housekeeping necessary for upholding life; and bedding and apparel necessary for himself and family.

CHAPTER 403.—*Convict labor.*

SECTION 1. It shall be the duty of the warden of the state prison, the superintendent of the Massachusetts reformatory, the superintendent of the reformatory prison for women, and the masters of the several houses of correction, to establish and maintain in their respective institutions such industries as shall be fixed upon as provided by section one of chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven.

SECTION 2. The number of persons employed in any industry in the state prison, Massachusetts reformatory or reformatory prison for women, or in any house of correction, shall not exceed one-twentieth of the number of persons employed in such industry in the state, according to the classification given in the census of eighteen hundred and eighty, unless a larger number is needed to produce articles to be supplied to state and county institutions, as provided in section thirteen of said chapter. If said classification does not give the number employed in any industry in the state, the limit to the number who may be so employed in any institution in any industry shall be as provided by chapter two hundred and seventeen of the acts of the year eighteen hundred and eighty-three: *Provided, however*, That two hundred and fifty prisoners may be employed in the manufacture of brushes at the house of correction at Cambridge, upon the public account system, so called.

SECTION 3. The tools, implements and materials needed for use in manufacturing in any institution under the provisions of said chapter four hundred and forty seven of the acts of the year eighteen hundred and eighty seven shall be purchased by the warden, superintendent or master of said institution, under the supervision of the general superintendent of prisons, after estimates or re-

quisitions, in such form as said general superintendent shall from time to time require, shall have been approved by him. Such manufactured goods as shall be produced in either of said institutions shall be sold by the principal officer thereof, under such approval of said general superintendent as he shall from time to time require. Said warden, superintendent or master is authorized to appoint agents who shall, in his behalf, under such rules and regulations as the general superintendent shall from time to time establish, purchase tools, implements and materials, and sell manufactured goods as aforesaid. The appointment of every such agent shall be subject to the approval of the general superintendent of prisons, but he may be removed at any time without such approval by the officer who appointed him. The compensation of every such agent shall be fixed from time to time by the officer by whom he is appointed, with the approval of said general superintendent. Said general superintendent shall have no authority to purchase or sell any articles for any institution.

SECTION 5. No provision shall be made for the employment of prisoners upon the piece-price plan, as authorized by chapter 22 [acts of 1888], except with the approval of the general superintendent of prisons.

CHAPTER 426.—*Fire escapes on factories, etc.*

SECTION 1. Every building now or hereafter used, in whole or in part, as a public building, * * * and every building in which ten or more persons are employed above the second story in a factory, workshop or mercantile or other establishment, and every * * * , boarding house, lodging house or tenement house in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment the owner, lessee or occupant of which is notified in writing by the inspector hereinafter mentioned that the provisions of this act are deemed by him applicable thereto, shall be provided with proper ways of egress, or other means of escape from fire, sufficient for the use of all persons accommodated, assembling, employed, lodging or residing in such building; and such ways of egress and means of escape shall be kept from obstruction, in good repair and ready for use. Every room above the second story in any such building in which ten or more persons are employed shall be provided, if the inspector * * * shall so direct in writing, with more than one way of egress by stairways on the inside or outside of the building, placed as near as practicable at opposite ends of such room; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows; and such landings, doors and windows shall be kept clear of ice and snow and other obstructions. Women or children shall not be employed in a factory, workshop or mercantile or other establishment, in a room above the second story from which there is only one way of egress, if the inspector * * * shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly * * *.

SECTION 2. * * * In case any such building conforms in the judgment of such inspector, to the requirements of this act, he shall issue to the owner, * * * a certificate to that effect, specifying the number of persons for whom the ways of egress or means of escape from fire are deemed to be sufficient. * * * A copy of the said certificate shall be kept posted in a conspicuous place upon every floor of such building by the person occupying the premises covered thereby.

SECTION 8. No wooden flue or air duct for heating or ventilating purposes shall hereafter be placed in any building subject to the provisions of section one of this act, and no pipe for conveying hot air or steam in such building shall be placed, or shall remain placed, nearer than one inch to any woodwork unless protected to the satisfaction of the said inspector by suitable guards or casings of incombustible material.

SECTION 9. Every story above the second of a building subject to the provisions of section 1 shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water supply and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

SECTION 10. It shall be the duty of such members of the inspection department of the district police force as may be assigned to such duty by the chief of such force to enforce the provisions of this act outside of the city of Boston, and of the inspector of buildings of the city of Boston to enforce the same within

said city, and for such purpose such inspectors shall have the right of access to all parts of any buildings subject to the provisions of this act.

SECTION 12. It shall be the duty of every owner, lessee or occupant of any building or part thereof subject to this act to cause the provisions thereof to be carried out, and any owner, lessee or occupant failing to observe such provisions shall be subject to a fine of not less than fifty nor more than one thousand dollars; but no prosecution therefor shall be brought until four weeks after written notice from an inspector, as above provided, of the changes necessary to be made in order to conform thereto, nor then if in the mean time such changes have been made in accordance with such notification. * * * Any such owner, lessee or occupant shall be liable for all damages caused by his violation of the provisions of this act. * * *

ACTS OF 1889.

CHAPTER 229.—*Sales by minors on street cars.*

SECTION 1. No street railway corporation shall permit or allow any minor under the age of ten years to enter upon or into any car of such corporation for the purpose of selling or offering for sale newspapers or other articles of merchandise therein.

SECTION 2. A street railway corporation violating the provisions of this act shall forfeit the sum of fifty dollars for each offence, to be recovered by any person in an action of tort, brought within three months thereafter, and the violation by a servant or agent of such corporation shall constitute a violation by such corporation.

ACTS OF 1890.

CHAPTER 90.—*Elevators.*

SECTION 1. No person, firm or corporation shall employ or permit any person under fifteen years of age to have the care, custody, management or operation of any elevator, or shall employ or permit any person under eighteen years of age to have the care, custody, management or operation of any elevator running at a speed of over two hundred feet a minute.

SECTION 2. Whoever violates the provisions of this act shall forfeit a sum not less than twenty five dollars nor more than one hundred dollars for each offence.

CHAPTER 181.—*Street railway employés—Relief societies.*

SECTION 1. The employés of street railway companies shall have all the rights, powers and privileges granted to employés of railroad and steamboat corporations by the provisions of chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, and all the provisions of said chapter shall be applicable to relief societies established under this act and to the officers and agents thereof.

SECTION 2. Street railway companies shall have all the rights, powers and privileges which were granted to railroad corporations by the provisions of chapter one hundred and twenty-five of the acts of the year eighteen hundred and eighty-six; and the funds of any relief society established under this act shall be exempt from attachment and other legal process in the same manner and to the same extent as provided in said chapter.

CHAPTER 183.—*Employment of women and children.*

SECTION 1. No corporation or manufacturing establishment in this commonwealth shall employ any woman or minor in any capacity for the purpose of manufacturing, between the hours of ten o'clock at night and six o'clock in the morning, under the penalty of not less than twenty nor more than fifty dollars for each and every offence.

CHAPTER 375.—*Hours of labor.*

SECTION 1. Nine hours shall constitute a day's work for all laborers, workmen, and mechanics now employed or who may be employed by or on behalf of the commonwealth of Massachusetts or any city or town therein; * * *.

CHAPTER 423.—*Protection of employés as voters.*

SECTION 136. Whoever by bribery, or threatening to discharge from his employment, or to reduce the wages of, or by a promise to give employment or higher wages to, a person, attempts to influence a qualified voter to give or withhold his vote in an election, shall be punished by fine not exceeding three hundred dollars or by imprisonment in the jail or house of correction for a term not exceeding one year, or both, at the discretion of the court.

SECTION 143. No person entitled to vote at a state election shall be employed upon the day on which any state election occurs in any manufacturing, mechanical or mercantile establishment in this commonwealth, except such establishment as may lawfully conduct its business on the Lord's Day, during the period of two hours after the opening of the polls in the town, ward or precinct in which such person is entitled to vote: *Provided*, Such person shall make application for leave of absence during such time.

SECTION 144. Every owner, superintendent or overseer in any such establishment who employs or permits to be employed any person in violation of the preceding section shall forfeit not less than twenty nor more than fifty dollars for each offence.

MICHIGAN.

CONSTITUTION.

ARTICLE 15.—*Corporations—Liability of stockholders for debts due employés.*

SECTION 7. The stockholders of all corporations and joint stock associations shall be individually liable for all labor performed for such corporation or association.

ARTICLE 16.—*Exemption from execution, etc.—Personal property.*

SECTION 1. The personal property of every resident of this State, to consist of such property only as shall be designated by law, shall be exempted to the amount of not less than five hundred dollars, from sale on execution or other final process of any court, issued for the collection of any debt contracted after the adoption of this constitution.

ARTICLE 16.—*Exemption from execution, etc.—Homesteads.*

SECTION 2. Every homestead of not exceeding forty acres of land, and the dwelling house thereon, and the appurtenances to be selected by the owner thereof, and not included in any town plat, city or village; or instead thereof, at the option of the owner, any lot in any city, village, or recorded town plat, or such parts of lots as shall be equal thereto, and the dwelling house thereon, and its appurtenances, owned and occupied by any resident of the state, not exceeding in value fifteen hundred dollars, shall be exempt from forced sale on execution or any other final process from a court, for any debt contracted after the adoption of this constitution. Such exemption shall not extend to any mortgage thereon, lawfully obtained; * * * .

SECTION 3. The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of his debts contracted after the adoption of this constitution, in all cases, during the minority of his children.

SECTION 4. If the owner of a homestead die, leaving a widow but no children, the same shall be exempt, and the rents and profits thereof shall accrue to her benefit during the time of her widowhood, unless she be the owner of a homestead in her own right.

ARTICLE 18.—*Convict labor—Mechanical trades in State prison.*

SECTION 3. No mechanical trade shall hereafter be taught to convicts in the state prison of this state, except the manufacture of those articles of which the chief supply for home consumption is imported from other states or countries.

HOWELL'S ANNOTATED STATUTES OF 1882—EDITION OF 1883.

CHAPTER 52.—*Certain employments of children forbidden.*

SECTION 1998. Any person having the care, custody, or control of any child under sixteen years of age, who shall exhibit, use, or employ, or who shall apprentice, give away, let out, or otherwise dispose of any such child to any person in or for the vocation, service, or occupation of rope or wire walking, gymnast, contortionist, rider, or acrobat, dancing or begging, in any place whatsoever, or for any obscene, indecent, or immoral purpose, exhibition, or practice whatsoever, or for any exhibition injurious to the health or dangerous to the life or limb of such child, or who shall cause, procure, or encourage such child to engage therein, and any person who shall take, receive, hire, employ, use, exhibit, or have in custody any such child for any of the purposes mentioned in this section, shall be deemed guilty of a misdemeanor.

CHAPTER 54.—*Sunday labor.*

SECTION 2015. No person shall keep open his shop, warehouse, or workhouse, or shall do any manner of labor, business, or work, * * * on the first day of the week. The foregoing provisions shall not apply to works of necessity and charity, * * *. And every person so offending shall be punished by fine not exceeding ten dollars for each offence.

SECTION 2021. No person who conscientiously believes that the seventh day of the week ought to be observed as the Sabbath, and actually refrains from secular business and labor on that day, shall be liable to the penalties provided * * *, for performing secular business or labor on the said first day of the week, provided he disturb no other person.

CHAPTER 90.—*State inspection of safety appliances on railroads.*

SECTION 3289, (as amended by act No. 212, acts of 1889). * * * He [the commissioner of railroads] may, also, * * * appoint a mechanical engineer, whose duty it shall be, under the instructions of the commissioner, to make technical inspections and reports of the condition and working of all air and power brakes and fixtures, automatic or safety couplers, heating apparatus, train signals and other appliances connected with the construction and running of locomotive engines and cars, also of the condition, character and working of yard and switch lamps, semaphore safety signals, switches, common and interlocking frogs, and guard-rails, whether the same are blocked or otherwise treated, as required by law, also of the condition and sufficient [sufficiency] of bridges and other structure [structures] connected with the permanent way, and of the condition and sufficiency of all equipments, freight and passenger houses, as regards the public safety, health and convenience, and of such other matters and things as the commissioner may deem essential to a full and thorough information as to the physical condition of the several railroad properties of the state and the proper enforcement of the police regulations enacted for the control and management of the same. * * *

SECTION 3310, (as amended by act No. 212, acts of 1889). Authority is hereby given to said commissioner, and it shall be his duty, if he shall deem it practicable, to prescribe the use of the interlocking switch and signal system, or some other system that will secure equal safety of the operation of trains of cars at all crossings and junctions of railroads in this state.

CHAPTER 91.—*Intemperate persons not to be employed on railroads.*

SECTION 3367. No person shall be employed as an engineer, train dispatcher, fireman, baggage-master, conductor, brakeman, or other servant upon any railroad, in any of its operating departments, who uses intoxicating drinks as a beverage; and any company in whose service any such person shall knowingly be employed, shall be liable to a penalty of five hundred dollars for every such offence, * * *.

CHAPTER 92.—*Bridges over railroads.*

SECTION 3401, (as amended by act No. 131, acts of 1883). No bridge hereafter constructed over any railroad in this state, except in cities and villages having power under their charters to regulate the height of such bridges, shall be at a height less than eighteen feet above the track of such railroad, except by the

written consent of the commissioner of railroads; and any corporation managing, controlling, or operating any railroad in this state, the track of which is crossed by any bridge constructed less than eighteen feet above such track, except such bridge have the written approval of the commissioner of railroads, or be within the corporate limits of any city or village empowered by its charter to regulate the height of bridges, shall, * * * raise or reconstruct such bridge in such manner that it shall be at least eighteen feet above such railroad track, and construct suitable approaches to such bridge. A failure on the part of any corporation, to comply with the provisions of this section, shall render such corporation liable to a forfeiture of five hundred dollars, to be recovered as in other cases of forfeiture: *Provided*, That the provisions of this act shall not apply to railroad bridges crossing another railroad track.

CHAPTER 92.—*Protection of wages of railroad employés.*

SECTION 3423. It shall be lawful for all railroad companies, when contracts are made by them with contractor or contractors, for work, labor, or materials to be used in repairing or constructing railroads, to provide in the contract or contracts with said contractor or contractors, for the payment of laborers and persons furnishing material to said contractors or subcontractors to be used in said contract, and if no such provision is made in said contract or contracts, it shall be lawful for said railroad companies to withhold payment until such laborers and persons furnishing material are paid; and it shall be the duty of such railroad companies, by agent or otherwise, at each pay-day on said road or roads, to see that all laborers and persons furnishing material employed by contractor or contractors, or subcontractors, are paid before payment is made to said contractors, not to exceed, however, the amount due to said contractors: * * * *Provided, further*, That a bill of items of the material and labor furnished to said contractor or subcontractors shall be furnished to the company through their agent, or otherwise, together with the amount claimed, prior to the usual pay-day of said company, when such claim shall be due, or in case the contractor or contractors are not then paid, then prior to the payment then due.

SECTION 3424. On compliance with the provisions * * * of this act, the persons performing the labor, or furnishing the materials, * * * shall have the right to collect pay for the same from said railroad companies by action, as in case of other claims against said railroad companies, if the said claim or claims are undisputed and acknowledged to be due from said contractor or subcontractors.

SECTION 3425. If the amount claimed to be due from the contractor or subcontractors is disputed by them, then said company shall withhold the payment from both till the same has been adjudicated, as in other actions, before some court having jurisdiction of the amount in controversy, and judgment duly rendered, when the company shall pay over the amount of the judgment to the party recovering the same against said contractor or subcontractors, provided the amount of said judgment is due to said contractor or contractors from said company; if not, then so much as is due on said contract.

CHAPTER 92.—*Erection of bridge guards by railroads.*

SECTION 3437. Wherever in the state of Michigan there shall be over, above, or across any of the tracks of any railroad a bridge, crossing, viaduct, or other obstruction at a height of less than seven feet above the roof of the freight cars used on or hauled over said road; and whenever [wherever] there shall be upon any railroad in the state of Michigan any bridge or other structure that shall have over or above any track of said road a transverse beam, girder, rod, or other obstruction at a height less than that above mentioned, it shall be the duty of the officers of such railroad to erect and keep in repair at or near such bridge, crossing, viaduct, or other obstruction, safety guards, made and placed as provided for in [the next] section.

SECTION 3438. The safety guards * * * shall consist of a transverse rod, beam, or timber placed across the track or tracks of said railroad at such a height and at such distance from the bridge, viaduct or other obstruction, as the commissioner of railroads shall direct; and from said rod or beam shall be suspended straps, ropes or cords of such size and of such length as the said commissioner shall also direct. The said ropes or cords shall be attached to said transverse rod or beam at a distance not greater than nine inches from each other, for the space of eight feet directly over the track. Said guards shall be

placed on each side of such bridge, viaduct, or other obstruction: *Provided*, That if two such bridges or other obstructions shall be at a less distance apart than one hundred feet, then no guard shall be required between them.

SECTION 3439. Any railroad company, lessee or other person or persons operating any railroad that shall refuse or neglect to erect the guards required by this act for the space of sixty days after notice from the commissioner of railroads requiring the erection of such guards, shall be subject to a fine of not less than fifty or more than one hundred dollars, to be collected at the suit of the people of this state by the prosecuting attorney of each county wherein such bridge or obstruction may be situated, and for every twenty days' delay thereafter in erecting such guards such company or person shall be liable to the same fine, * * *.

CHAPTER 92.—*Railroads—Accidents.*

SECTION 3440. Every railroad corporation doing business in this state shall cause immediate notice of any accident which may occur on its road, attended with loss of life to any person, to be given to a coroner of the county residing nearest to the place of accident, and shall also give notice within twenty-four hours to the commissioner of railroads of any such accident, or of any accident falling within a description of accidents of which said commissioner may, by general regulation, require notice to be given. For each omission to give such notice the corporation shall forfeit a sum not exceeding one hundred dollars.

SECTION 3441. The commissioner of railroads shall investigate the causes of any accident on a railroad resulting in loss of life, and of any accident not so resulting, which, in his judgment, shall require investigation.

CHAPTER 104.—*Liability of pipe-line companies for wages of laborers employed by contractors.*

SECTION 3735. As often as any contractor for the construction of any line of pipes which is in progress of construction shall be indebted to any laborer for thirty or any less number of days' labor performed in constructing such pipe line, such laborer may give notice of such indebtedness to said company in the manner herein provided, and said company shall thereupon become liable to pay such laborer the amount so due him for such labor, and an action may be maintained against such company therefor; such notice shall be given by such laborer to said company within twenty days after the performance of the number of days' labor for which claim is made. Such notice shall be in writing, and shall state the months and particular days of the month upon which labor was performed, and remains unpaid for, the price per day, the amount due, with the name of the contractor from whom due, the section or portion of the pipe line upon which the same was performed, and shall be signed by such laborer or his attorney, to which notice an affidavit shall be annexed, made by such laborer or his attorney, to the effect that to the knowledge of the person making the affidavit, the statements contained in such notice are in all respects true. Such notice so verified may be served upon * * * the company * * *, but no action shall be maintained against such company unless the same is commenced after ten days and within six months after giving the notice above provided.

CHAPTER 115.—*Incorporation of mechanics' associations.*

SECTION 3924. Associations may be formed and incorporated for the purposes of promoting the mechanic arts in this state, for the relief of distressed mechanics, whether members of any such association or otherwise, and for such other charitable purposes as may be deemed proper by such association, connected with the mechanical and architectural arts.

CHAPTER 116.—*Coöperative associations.*

SECTION 3935. Any five or more persons who shall be desirous of uniting as mechanics, laboring men, or in any other capacity, in any coöperative association for the purpose of purchasing all manner of groceries, provisions, and any other articles of merchandise, and selling the same * * * to all stockholders and others, at such reasonable prices over the cost thereof, as will enable the members of such association to obtain such commodities at the smallest practicable rate of cost; and also, if necessary, to manufacture any such articles of trade or merchandise, such as flour, meal, boots, shoes, clothing, and to vend

the same as aforesaid; or for the purpose of cultivating or raising vegetables, fruits, or other produce, or animals, for food for said members, or to vend the same as aforesaid; or who may be desirous of engaging as stockholders in any association for the conducting of a general agricultural or horticultural business, or any combination of the two, * * * may become incorporated for that purpose, by executing one or more duplicate articles of agreement, * * * by signing and acknowledging the same before some officer authorized to take such acknowledgments; and upon the execution and acknowledgment of such articles, the signers thereof, * * * shall become a body politic, for the purposes set forth in said articles.

SECTION 3938. The amount of capital stock in every such association may be fixed and limited by the stockholders in their articles of association, and may be divided into shares of not less than five dollars each, and not exceeding twenty-five dollars, and the capital stock shall in no case be less than five thousand dollars nor more than five hundred thousand dollars; and such capital stock may be increased from said five thousand dollars, and the number of shares also increased, at any meeting of the stockholders called for that purpose: *Provided*, That the amount so increased, with the existing capital, shall not exceed five hundred thousand dollars: *Provided further*, That all property of such association shall be subject to taxation for all state, county, and municipal purposes: *And provided further*, That capital stock to the extent of twenty-five dollars, belonging to any stockholder in any such association, who is a householder and has a family, shall not be subject to attachment or execution, or liable in garnishment, for his individual debts.

SECTION 3940. Stockholders and directors shall be severally and jointly liable for all debts for labor performed for said corporation; * * *.

CHAPTER 117.—*Incorporation of trade unions.*

SECTION 3945. Any association of trades' unions in this state, actually existing and conducting its operations under a constitution or articles of association, may become a body corporate and politic for the general purposes contemplated by chapter sixty-two of the Compiled Laws of this state, [sections 3924 to 3934, inclusive, Howell's Annotated Statutes, 1882] * * * upon filing a copy of their constitution or articles of association, verified by the oath of one or more of the executive officers of such association, in the office of the secretary of state, and a like verified copy in the office of the county clerk of the county where such association is situated. * * *

CHAPTER 167.—*Industrial schools.*

SECTION 4598. Any three or more persons, who may desire to become incorporated for the purpose of maintaining industrial schools for the relief and instruction of the children of the poor, or the maintenance of homes for vagrant and friendless children, or the instruction of children generally in the various mechanical trades or other avocations of life, or for the purpose of one or all of these objects united, may execute, under their hands, and acknowledge before some person within this state, authorized to take the acknowledgment of deeds, one or more duplicate articles of agreement, as hereinafter specified, one copy whereof shall be filed and recorded in the office of the secretary of state, and a second shall be made of such articles, or a certified copy thereof, in the clerk's office of the county or counties in this state, in which the office of said association for the transaction of business may be located; and upon the execution and acknowledgment of such articles, the signers thereof, and those who may thereafter become associated with them, shall become a body politic and corporate, for the purpose or purposes set forth in said articles.

SECTION 4601. No such corporation shall have power to take and hold any real estate, except such as may be necessary for any schools, shops or other buildings under its control, or for the transaction of its business and carrying out of its purposes, for a longer period than ten years.

CHAPTER 249.—*Property not exempt from execution upon judgment for work done by female employés.*

SECTION 7091. No property, except as exempted by the state constitution, shall be exempt from levy or sale, under an execution, issued upon a judgment obtained before any justice of the peace, for work, labor, or services done or performed by

any woman, when such amount does not exceed the sum of twenty-five dollars, exclusive of costs. * * * In addition to all other costs allowed by law, the plaintiff in any such suit shall recover an attorney's fee of five dollars, * * *.

CHAPTER 249.—*Judgment for wages not to be stayed.*

SECTION 7091 a. (as amended by act No. 147, acts of 1887). Any judgment hereafter obtained before a justice of the peace for personal services performed by the plaintiff, shall not be stayed, but execution may issue thereon immediately on rendition of judgment. In entering such judgment the justice shall recite upon the docket that the same was rendered for the personal work and labor of the plaintiff; and in addition to all other costs allowed by law, the plaintiff in any such suit shall recover an attorney's fee of five dollars, to be taxed with the other costs in the case and to be collected in the same manner as such other costs are collected: *Provided*, That no attorney fee shall be taxed in cases not contested unless the plaintiff shall make it appear to the satisfaction of the justice that at least twenty-four hours before the commencement of the said suit a demand of payment therefor has been made of the debtor: *And provided further*, That no attorney fee shall be allowed the plaintiff unless he shall obtain judgment for the whole amount demanded by him of the defendant b fore such suit was commenced, and in no case shall a greater attorney fee be recovered than the amount of damages recovered.

CHAPTER 257.—*Suits for services and labor.*

SECTION 7317. In all actions wherein the demand shall be principally for labor or services performed by any individual, company, or commenced in any court of competent jurisdiction in the county * * * wherein the labor or services were rendered or performed, or in which the plaintiff or plaintiffs reside, the process or declaration by which such action shall be commenced may be served in any county within this state adjoining the county wherein such action shall be commenced, against any individual, company, or the proper officer of any corporation in this state: * * *.

CHAPTER 266.—*Exemption from execution, etc.—Personal property.*

SECTION 7686. The following property shall be exempt from levy and sale under any execution, or upon any other final process of a court:

First. All spinning wheels, weaving looms with the apparatus, and stoves put up and kept for use in any dwelling house.

Second. A seat, pew or slip, occupied by such person and family, in any house or place of public worship.

Third. All cemeteries, tombs and rights of burial, while in use as repositories of the dead.

Fourth. All arms and accoutrements required by law to be kept by any person; all wearing apparel of every person or family.

Fifth. The library and schoolbooks of every individual and family not exceeding one hundred and fifty dollars, and all family pictures.

Sixth. To each householder, ten sheep, with their fleeces, and the yarn or cloth manufactured from the same; two cows, five swine, and provisions and fuel for comfortable subsistence of such householder or family for six months.

Seventh. To each householder, all household goods, furniture and utensils, not exceeding in value two hundred and fifty dollars.

Eighth. The tools, implements, materials, stock, apparatus, team, vehicle, horses, harness or other things, to enable any person to carry on the profession, trade, occupation or business in which he is wholly or principally engaged, not exceeding in value two hundred and fifty dollars.

Ninth. A sufficient quantity of hay, grain, feed and roots, whether growing or otherwise, for properly keeping for six months the animals in the several subdivisions of this section exempted from execution, and any chattel mortgage, bill of sale, or other lien created on any part of property above described, except such as is mentioned in the eighth subdivision of this section, shall be void, unless such mortgage, bill of sale or lien be signed by the wife of the party making such mortgage or lien (if she have any).

SECTION 7715. That the eighth subdivision of section [7686] * * * be amended by adding to the end thereof the following: "The word team in this

sub-division shall be construed to mean, either one yoke of oxen, a horse, or a pair of horses, as the case may be."

SECTION 7716, (as amended by act No. 159, acts of 1885). The property exempted in the [eighth] sub-division of [section 7686] shall not be exempt from any execution issued upon a judgment rendered for the purchase money for the same property, and any sale of such property after the commencement of a suit to recover the purchase price thereof, and the filing of the notice hereinafter required, shall be null and void as against such an execution: *Provided*, The plaintiff in any suit shall file or cause to be filed with the clerk of the city, village, or township in which the owner of such property resides, a notice in which he shall state the time when such suit was commenced, the amount claimed to be due, that the suit is brought to recover the purchase money for the property, a description of the property sought to be reached, and the name of the defendant. * * *

SECTION 7717. All sewing machines owned by individuals and kept for the actual use of themselves or their families, shall be exempt from levy and sale on execution, not exceeding one such machine for each family.

CHAPTER 267.—*Exemption from execution, etc.—Homesteads.*

SECTION 7721. A homestead, consisting of any quantity of land not exceeding forty acres, and the dwelling house thereon and its appurtenances, to be selected by the owner thereof, and not included in any recorded town plat or city or village, or instead thereof, at the option of the owner, a quantity of land not exceeding in amount one lot, being within a recorded town plat or city or village, and the dwelling house thereon and its appurtenances, owned and occupied by any resident of this state, shall not be subject to forced sale on execution, or any other final process from a court, for any debt or debts growing out of or founded upon contract, either express or implied, made after the third day of July, A. D. 1848. This section shall be deemed and construed to exempt such homestead in the manner aforesaid during the time it shall be occupied by the widow or minor child or children of any deceased person, who was, when living, entitled to the benefits of this act.

SECTION 7722. Such exemption shall not extend to any mortgage thereon lawfully obtained, but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of the wife to the same, unless such mortgage shall be given to secure the payment of the purchase money or some portion thereof.

SECTION 7727. Nothing in this act shall be considered as exempting any real estate from taxation or sale for taxes.

CHAPTER 276.—*Exemption from garnishment, etc.—Wages.*

SECTION 8032. The person summoned as garnishee from the time of the service of such summons, shall be deemed liable to the plaintiff in such suit, to the amount of the property, money and effects in his hands or possession, or under his control, or due from him to the defendant in such suit: *Provided*, That when the defendant is a householder having a family, nothing herein contained shall be applicable to any indebtedness of such garnishee to the defendant for the personal labor of such defendant, or his family, for any amount not exceeding the sum of twenty-five dollars.

CHAPTER 277.—*Exemption from garnishment, etc.—Wages.*

SECTION 8096. No person shall be adjudged a garnishee in either of the cases following, to wit:

* * * * * * *

Third. Nothing in this act contained shall be applicable to any indebtedness of such garnishee to the principal defendant, for the personal labor of such defendant, or his family, unless such indebtedness exceed the sum of twenty-five dollars, and in case of such excess, only to the amount of such excess.

CHAPTER 290.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 8411 a, (as amended by act No. 45, acts of 1885). When public buildings, or other public works or improvements are about to be built, repaired, or ornamented under contract, at the expense of this state, or of any county, city,

village, township, or school district thereof, it shall be the duty of the board of officers, or agents, contracting on behalf of the state, county, city, village, township, or school district, to require sufficient security by bond, for the payment by the contractor, and all sub-contractors, for all labor performed, or materials furnished in the erection, repairing, or ornamenting of such building, works, or improvements.

SECTION 8411 c. Such bond may be prosecuted, and recovery had, by any person, firm, or corporation, to whom any money shall be due and payable, on account of having performed any labor, * * * in the erection, repairing, or ornamenting of such building or works, in the name of the people of this state, for the use and benefit of such person, firm or corporation: *Provided*, That the people of this state shall, in no case brought under the provisions of this act, be liable for costs.

CHAPTER 321.—*Intimidation of employés.*

SECTION 9273. If any person or persons shall, by threats, intimidations, or otherwise, and without authority of law, interfere with, or in any way molest, or attempt to interfere with, or in any way molest or disturb, without such authority, any mechanic or other laborer, in the quiet and peaceable pursuit of his lawful avocation, such person or persons shall be deemed guilty of a misdemeanor, and on conviction by a court of competent jurisdiction, shall be severally punished by a fine of not less than ten dollars, nor more than one hundred dollars, or by imprisonment in the county jail where the offense shall have been committed, not less than one month nor more than one year, or by both fine and imprisonment, in the discretion of the court; but if such punishment be by fine, the offender shall be imprisoned in such jail until the same be paid, not exceeding ninety days.

CHAPTER 321.—*Strikes—Obstructing conduct of business, etc.*

SECTION 9274. If any person or persons shall willfully and maliciously by any act, or by means of intimidation, impede or obstruct, except by due process of law, the regular operation and conduct of the business of any railroad company or other corporation, firm or individual in this state, or of the regular running of any locomotive engine, freight, or passenger train of any such company, or the labor and business of any such corporation, firm or individual, he or they shall, on conviction thereof, be punished by imprisonment in the county jail not more than three months, or in the state prison for a period not exceeding one year.

SECTION 9275. If two or more persons shall willfully and maliciously combine, or conspire together, to obstruct or impede, by any act or by means of intimidation, the regular operation and conduct of the business of any railroad company or any other corporation, firm, or individual in this state, or to impede, hinder, or obstruct, except by due process of law, the regular running of any locomotive engine, freight or passenger train, on any railroad, or the labor and business of any such corporation, firm, or individual, such persons shall, on conviction thereof, be punished by imprisonment in the county jail for a period not more than three months or in the state prison for a period not exceeding two years.

SECTION 9276. This act shall not be construed to apply to cases of persons voluntarily quitting the employment of any railroad company or such other corporation, firm, or individual, whether by concert of action or otherwise.

CHAPTER 325.—*Protection of employés as voters.*

SECTION 9382. Any person who shall directly or indirectly discharge or threaten to discharge any person who may be in his employ for the purpose of influencing his vote at any election in this state, * * * shall be deemed guilty of corrupt practice, and on conviction thereof shall be punished as provided for in section four of this act.

CHAPTER 340.—*Convict labor.*

SECTION 9697. All convicts in the state prison other than such as are confined in solitude for misconduct in the prison, shall be kept constantly employed at hard labor at an average of not less than ten hours a day (Sunday excepted), unless incapable of laboring by reason of sickness or other infirmity.

SECTION 9706. Whenever the inspectors shall direct a contract to be made for letting or hiring the labor of convicts, it shall be the duty of the warden, under the direction of the board, to proceed to make such contracts * * *.

SECTION 9707. Convicts not employed under any contract may, with the approval of the board of inspectors, be employed by the warden upon work for the state, in such manner, and to such extent, as may be deemed advantageous, or he may hire such convicts to contractors or others, temporarily, at such price as he may deem proper, subject to the approval of the inspectors, but such hiring shall terminate whenever, in the opinion of the board of inspectors, the interest of the prison may require.

SECTION 9708. If the warden shall be unable to let the labor of the convicts on contract at reasonable rates, so that any considerable number are without employment, he may, under the direction of the inspectors, with the approval of the governor, prepare shop room, procure simple and inexpensive machinery and material, and employ such convicts in the manufacture of any articles that in the opinion of the inspectors can be made in the prison to advantage and profit for the benefit of the state.

SECTION 9709. It shall and may be lawful for the warden of the state prison, acting by and with the advice and consent of a majority of the inspectors of the prison, * * * to make contracts for supplying convict labor for terms not exceeding two years, to parties whose places of business may be outside the prison walls, and so located that the convicts may be conveniently taken from the prison in the morning, and returned to the same at night, at not less than one dollar per day for each convict so employed: * * *.

SECTION 9710. The said warden shall also have authority, * * * to employ the said convicts in quarrying stone, or other labor useful in the erection or repair of the building or walls of the prison.

CHAPTER 341.—*Convict labor.*

SECTION 9779. All inmates in the house of correction, except such as are confined in solitude for misconduct in the institution, shall be kept constantly employed at hard labor at an average of not to exceed ten hours per day, Sundays excepted, unless incapable of labor by reason of sickness or infirmity; * * *.

SECTION 9788. All inmates not employed on contracts may be employed by the warden with the approval of the managers, in work for the state, in such manner as he shall think advantageous, or they may be temporarily hired, which hiring shall terminate whenever their labor shall be required on contract.

SECTION 9789. If the warden shall be unable to let the labor of the inmates on contract at reasonable rates, so that any considerable number are without employment, he may, under the direction of the managers, with the approval of the governor, prepare shop room, and procure simple and inexpensive machinery and material, and employ such persons in the manufacture of articles as in the opinion of the managers can be made to advantage and profit for the benefit of the state, * * *.

[NOTE.—Provisions similar to the last two sections have been enacted in relation to convicts at the state house of correction and branch of state prison in the Upper Peninsula.—No. 258, acts of 1887, sections 39, 40.]

ACTS OF 1883.

ACT NO. 156.—*Bureau of statistics of labor.*

SECTION 1, (as amended by act No. 189, acts of 1885). The governor is hereby authorized and empowered to appoint, * * * by and with the advice and consent of the senate, * * * a suitable person, who shall be a citizen of this state, as commissioner, * * * the title of which officer shall be commissioner of labor. * * * Said commissioner, with his deputy, and the secretary of state, who shall be *ex-officio* member thereof, shall constitute a bureau of statistics of labor.

SECTION 2. The duties of such bureau shall be to collect in the manner hereinafter provided, assort, systemize, print, and present in annual reports to the governor, * * * statistical details relating to all departments of labor in this state, including the penal institutions thereof, particularly concerning the hours of labor, the number of laborers and mechanics employed, the number of appren-

tices in each trade, with the nativity of such laborers, mechanics, and apprentices, wages earned, the savings from the same, the culture, moral and mental, with age, and sex, of laborers employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, as well as the influence of the several kinds of labor, and the use of intoxicating liquors upon the health, and mental condition of the laborer, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics, who live in rented houses with the average annual rental of same, the average number of members in the families of married laborers and mechanics, the value of property owned by laborers and mechanics, together with the value of property owned by such laborers or mechanics (if foreign born), upon their arrival in this country, and the length of time they have resided here, the subjects of coöperation, strikes or other labor difficulties, trades unions, and other labor organizations, and their effects upon labor and capital, with such other matter relating to the commercial, industrial, and sanitary condition of the laboring classes, and permanent prosperity of the respective industries of the state, as such bureau may be able to gather, accompanied by such recommendations relating thereto, as the bureau shall deem proper.

SECTION 3, (as amended by act No. 189, acts of 1885). Such bureau, or any member thereof, shall have full power to examine witnesses on oath, compel the attendance of witnesses, the giving of testimony while acting in any part of this state, and witnesses may be summoned by such bureau, or any member thereof, by its process in the same manner, and paid the same fees as are allowed to witnesses attending in the circuit court of any county: *Provided*, No witness shall be compelled to go outside the county in which he resides, to testify.

SECTION 5, (as amended by act No. 189, acts of 1885). Said bureau may collect the information called for in section 2 of this act, or such information as shall by the commissioner be considered essential to perfect the work of the bureau, from the several state, county, city, village, and township officers, and from the officers of prisons, penal and reformatory institutions, or by means of special canvassers under the direction of the commissioner, and it shall be the duty of all such officers to furnish upon the written or printed request of the commissioner, such information as shall be considered necessary for the bureau, upon blanks furnished by said bureau.

SECTION 6, (as amended by act No. 189, acts of 1885). It shall be the duty of the several supervisors of the townships, and the supervisor or assessor of the wards of cities in this state, at the time of assessing the property thereof, to obtain the facts and information determined upon by said bureau, as provided in section five of this act, in accordance with the terms, conditions, and requirements of said blanks, and to return said blanks properly filled and duly certified to, by such officer, without delay to the commissioner of labor at Lansing.

SECTION 7, (as amended by act No. 189, acts of 1885). Any person who shall willfully and intentionally testify falsely, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by imprisonment in the state prison for a period not exceeding five years, and any person who shall refuse to testify before said bureau or before any member thereof, shall, on conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or both in the discretion of the court: *Provided*, That no person or corporation shall be required to answer any question that shall be improper subject of inquiry or foreign to the object of this act.

ACT NO. 157.—*Judgment for wages not to be stayed.*

SECTION 1, (as amended by act No. 147, acts of 1887). Any judgment hereafter obtained before a justice of the peace for personal services performed by the plaintiff, shall not be stayed, but execution may issue thereon immediately on rendition of judgment. In entering such judgment the justice shall recite upon the docket that the same was rendered for the personal work and labor of the plaintiff; and in addition to all other costs allowed by law, the plaintiff in any such suit shall recover an attorney's fee of five dollars, to be taxed with the other costs in the case [cause] and to be collected in the same manner as such other costs are collected. * * *

ACT NO. 159.—*Incorporation of assemblies of Knights of Labor.*

SECTION 1. Any local assembly of the order of the knights of labor of North America, duly organized within this state under and pursuant to the provisions

of the constitution and laws of the general assembly of the knights of labor of North America, may become a body corporate and politic in the manner following, viz:

First. At a regular meeting of such local assembly a resolution shall be put to a vote of the members thereof present, expressing the desire and determination of such local assembly to be incorporated, and directing the officers thereof to perfect such incorporation, and if such resolution be adopted by a two-thirds vote of all members in good standing, it shall be declared adopted, otherwise lost;

Second. On such resolution being passed, the master workman and recording secretary of the assembly shall prepare articles of association under their hands and the seal of the assembly, setting forth the number of persons then in good standing in the assembly desiring incorporation, the name by which the assembly is known, and its number, the date of its organization, a copy of the resolution mentioned in the first subdivision of this section, the corporate name by which the assembly shall be known in the law, the general object and purpose of the association, which shall in no way conflict or be inconsistent with the object and purpose of the general assembly of the order of knights of labor of North America as stated in its constitution, nor in conflict or inconsistent with any law of the United States or of this state, and the period for which it is corporated, not exceeding thirty years;

Third. A copy of such articles of association shall be filed with the clerk of the county in which such corporation shall be formed, and, together with the affidavit hereinafter named, shall be recorded by the county clerk in a book to be kept by him for that purpose;

Fourth. The master workman and recording secretary executing such articles of association shall make and annex thereto, before filing, an affidavit stating that they are respectively members of and occupy the official positions above named in said local assembly, that the resolution, a copy of which is set out in the articles of association, was duly adopted at a regular meeting of the assembly, and by a two-thirds vote of all members in good standing, and that all the statements in said articles of association are true to the best of their and each of their knowledge and belief, and that said local assembly is organized and acting under the constitution of the general assembly of the order of the knights of labor of North America.

SECTION 2. When the foregoing requirements are complied with, the local assembly shall be a body corporate and politic by the name expressed in such articles of association, and by that name shall be a person in law, capable of suing and being sued, and a copy of said articles of association and affidavit duly certified by the clerk in whose custody the same may be, under the seal of the proper county, shall be *prima facie* evidence in all the courts of this state of the existence and incorporation of said local assembly.

SECTION 3. A copy of such articles of association, with an affidavit attached, as provided in section one of this act, duly certified by the county clerk of the proper county, may be filed with the secretary of state, copies of which, duly certified, shall in all the courts of this state be *prima facie* evidence of the existence and incorporation of said local assembly.

SECTION 4. Any district assembly of the order of the knights of labor of North America, organized and acting under and pursuant to the constitution and laws of the general assembly of the order, may become incorporated by adopting a like resolution as provided in section one of this act, executing articles of association under the hands of its district master workman and district recording secretary and the seal of the district assembly, containing like statements as those required in articles of association for the incorporation of local assemblies, with a like affidavit annexed made by the above named officers, and filing the same with the clerk of the county where such district assembly is incorporated, which articles of association and affidavit shall be recorded by the county clerk. A copy thereof, duly certified by the clerk of such county, shall have the same force and effect as evidence as is provided in section two of this act. A certified copy of such articles may be filed with the secretary of state in the same manner, and shall have the same force and effect as evidence as is provided in said section.

SECTION 5. Every corporation formed pursuant to the provisions of this act may take and hold personal and real property, so far as the same may be necessary or convenient for the purposes of the organization, not exceeding fifty thousand dollars in amount, and may convey, incumber, and deal with the same as it may from time to time determine by a majority vote of all members in good

standing: *Provided*, That no property held and owned by such corporation shall be sold or incumbered except at a regular or special meeting of the assembly, five days' written notice of which shall have been given to every member in good standing, and at the time being within the jurisdiction, which notice shall briefly state the disposition intended to be made of such property, describing it, and shall be signed by the district recording secretary or recording secretary, as the case may be, and with the seal of the assembly attached.

SECTION 6. The management, direction, and control of the property and business of such corporation shall be vested in such of its officers and members as a majority of its members present and acting thereon at any regular meeting of the assembly shall from time to time determine.

ACT NO. 170.—*Fire escapes on factories, etc.*

SECTION 2. It shall be the duty of the owner, proprietor, or lessee of any building, factory, mill, warehouse, or workshop, more than two stories in height, where male or female help is employed above the second story in such building, to provide suitable ladders, or such other fire escapes as may be deemed necessary, for the escape of such help or other persons occupying such building, in cases of fire, as provided in section four of this act.

SECTION 4. It shall be the duty of the board of building inspectors * * * to examine from time to time, at least once in each year, within their respective jurisdictions, any and all such places mentioned in the preceding sections of this act, and to submit without delay to their respective township or village boards, or common council, as the case may be, such recommendations, in addition to the provisions and requirements of this act, as they may deem proper and necessary for the protection against fire, and the escape therefrom, in the several places named in the preceding sections of this act.

SECTION 5. It shall be the duty of the township or village boards, or common council, as the case may be, on receiving such report, to direct all such needful alterations and additions to such places as recommended for the safety and escape from fire to be made within such reasonable time as they may determine, by causing a written notice to be served on the owner, proprietor, manager, lessee, or keeper of such several places, stating therein fully the alterations and additions to be made, and the time for their completion. * * *

SECTION 6. If any such owner, proprietor, manager, lessee, or keeper of any such places named in this act shall neglect or refuse to comply with any such requirements within the time and in the manner specified in such notice, he or they shall be liable to a fine of not less than twenty-five dollars, or more than one hundred dollars, for each and every month that he or they shall fail to comply with the provisions of this act, * * * .

ACT NO. 174.—*Railroads—Blocking of frogs, switches and guard rails.*

ARTICLE IV.

SECTION 22. All person or persons, railroad companies or corporations, owning or operating roads in this state, shall, and are hereby required on or before the first day of January, one thousand eight hundred and eighty-four, to so adjust, fill or block the frogs, switches, and guard rails on their roads, in all yards, divisional and terminal stations, and where trains are made up, as to prevent the feet of employés or other persons from being caught therein. Any railroad company or corporation, which shall fail to comply with the provisions of this section, shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars, and the neglect of any such person, company, or corporation to comply with the provisions of this section shall be deemed a violation of the same. * * *

ACTS OF 1885.

ACT NO. 14.—*Property exempt from execution upon judgment for labor.*

SECTION 1. The following personal property only, not exceeding in value five hundred dollars, shall be exempt from levy and sale, under any execution issued upon a judgment obtained in, or before any competent court of this state for work, labor, or services, other than professional services, done or performed by any person: Spinning wheels, weaving looms, with the apparatus and stoves put up and kept for use in any dwelling house; cemeteries, tombs, and rights of burial, while in use as repositories of the dead; the library and schoolbooks of

every individual and family, and all family pictures; one cow, and provisions and fuel for the comfortable subsistence of every person and family for one month, and household goods, furniture, and utensils.

SECTION 6. Assignees of claims for work and labor enumerated in this act shall be entitled to the benefits thereof.

ACT NO. 39.—*Employment, hours of labor, etc., of women and children.*

SECTION 2. No child under the age of fourteen years shall be employed by any person to labor in any business, unless such child shall have attended some public or private day school, where instruction was given by a teacher qualified to instruct in such branches as are usually taught in primary schools, at least four months of the twelve months next preceding the month in which such child shall be so employed, except in districts in which only three months of school are taught by a qualified teacher: *Provided*, That a certificate of such attendance from the superintendent of the school, or the director of the school district in which such child shall have so attended school, shall be evidence of a compliance with the provisions of this section, if acted upon by the employer in good faith. If any such superintendent or director shall knowingly make a false certificate, he shall be deemed guilty of a violation of this act, and shall be liable to the punishment hereinafter provided.

SECTION 3. Certificates given under the preceding section shall be deposited with the employer, at the time of employing any such child, and shall be kept by him on file in his office, and shall, at all times, be subject to inspection by the persons authorized to make inspections under this act.

SECTION 4. No child, or young person under the age of eighteen years, and no woman, shall be employed in any factory, warehouse, workshop, or place where the manufacture of any kind of goods is carried on, or where any goods are prepared for manufacturing, for a longer period than an average of ten hours in a day, or sixty hours in any week, and at least one hour shall be allowed in the labor period of each day for dinner.

SECTION 5. Every person, who shall employ any female, in any factory, warehouse, workshop, store, or hotel shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them, when they are not necessarily engaged in the active duties for which they are employed.

SECTION 6. Any person, company, or corporation who shall violate any of the provisions of this act, shall, for each offense, forfeit a penalty of fifty dollars, to be recovered before any competent court.

SECTION 7 (as amended by act No. 21, acts of 1889). In all cities it shall be the duty of the superintendent, or chief officer of police, by suitable inspections, to see that the regulations of this act are observed, and also to prosecute all persons who shall violate the same. Such superintendent, or chief officer of police, shall detail such portion of the force under him as he shall deem necessary for the inspection, from time to time, of all the aforesaid places where such children or young persons may be employed: *Provided*, That, in the city of Detroit, the board of building inspectors of said city, or any member thereof, shall have concurrent jurisdiction with the superintendent or chief officer of police, with like power and authority to personally see that the regulations of this act are observed, and also to enter complaint against all persons who shall violate the same. In towns the supervisors thereof shall perform the duties above imposed on the superintendent, or chief officer of police in cities.

SECTION 8. The directors of any corporation which shall wilfully neglect or refuse to obey the provisions of this act, shall each be liable to the penalties of this act: *Provided*, That the provisions of this act shall not apply to any of the penal, reformatory, or benevolent institutions of this state.

ACT NO. 137.—*Hours of labor.*

SECTION 1. In all factories, workshops, salt blocks, saw-mills, logging or lumber camps, booms or drives, mines or other places used for mechanical, manufacturing, or other purposes within the state of Michigan, where men or women are employed, ten hours per day shall constitute a legal day's work, and any proprietor, stockholder, manager, clerk, foreman, or other employers of labor who shall require any person or persons in their employ to perform more than ten hours per day shall be compelled to pay such employés for all overtime or extra hours at the regular per diem rate, unless there be an agreement to the contrary.

SECTION 2. That in all contracts, engagements, or agreements to labor in any mechanical, manufacturing, or other labor calling, where such contracts or

agreements are silent, or no express condition specified, ten hours shall constitute a day's work, and the contract or agreement shall be so construed.

SECTION 3. Any individual, firm, agent of any corporation, or other employers of labor who shall take any unlawful advantage of any person or persons in their employ, or seeking employment, because of their poverty or misfortune, to invalidate any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars, nor more than fifty dollars for each offense, and it shall be the duty of the prosecuting attorney of the county in which such offense was committed, upon receiving complaint, to prosecute all such cases in the name of the people of the state of Michigan, before any justice of the peace or other competent court of jurisdiction.

SECTION 5. Nothing in this act shall be construed to apply to domestic or farm laborers, or other laborers who agree to work more than ten hours per day.

ACT NO. 145.—*Incorporation of labor organizations.*

SECTION 1. Any number of persons, not less than five, may associate themselves together and become a body corporate and politic for the improvement of their several social and material interests, the regulation of their wages, the laws and conditions of their employment, the protection of their joint and individual rights in the prosecution of their trades or industrial avocations, the collection and payment of funds for the benefit of sick, disabled or unemployed members, the securing of benefits to the families of deceased members, and for such other and further objects of material benefit and protection as are germain to the purposes of this act. The persons so associating shall execute articles of association as hereinafter provided, sign and acknowledge the same before some officer duly authorized by the laws of this state to take acknowledgments of deeds, and upon the execution and acknowledgment of said articles of association aforesaid, the said association shall become a body politic for the purposes set forth in said articles of agreement.

SECTION 2. Every association formed under the provisions of this act, shall have a corporate name, and may sue and be sued, plead and be impleaded, prosecute and defend in all courts of this state; shall hold, pay, sell, assign and lease such real, personal or mixed property as shall be required for its corporate purposes.

SECTION 4. Every association incorporated under this act shall have power to make all needful by-laws for its government and enforce the same by the usual penalties and forfeitures; may thereby establish a uniform system of dues, assessments or benefits to be levied upon members, prescribe the duties of officers, require bonds of the same for the faithful discharge of their duties.

SECTION 5. The officers of the association shall consist of a president, secretary, treasurer, and board of trustees of not less than three members of the association. The president, secretary, and treasurer shall be *ex-officio* members of said board of trustees.

SECTION 6. The board of trustees shall be the executive board of such association, and shall be charged with the general management of its affairs. Said board shall adopt by-laws for the association, and change the same at pleasure: *Provided*, That the by-law for the election of the members of said board of trustees and their terms of office shall be of no effect until the same is ratified by a majority vote of the members of the association. A majority of said board of trustees shall be a quorum for the transaction of business.

SECTION 7. All societies, unions or associations of tradesmen or laborers actually existing and conducting their affairs under a constitution or articles of association, may become a body corporate and politic, for the general purposes of this act, upon filing a copy of their constitution or articles of the association, society, or union, verified by the oath of one of the executive officers of such society, association or union in the office of the secretary of state, and a like verified copy in the office of the county clerk of the county where such association, society, or union is formed. All societies, unions, and associations, becoming corporations as above provided, shall be subject to the provisions of this act.

ACT NO. 147.—*Safety couplers on freight cars.*

SECTION 1, (as amended by act No. 88, acts of 1887). On and after the first day of July, one thousand eight hundred and eighty-six, every railroad company owning or operating any portion of a railroad wholly or partly in this state shall cause to

be placed upon each end of every freight car thereafter constructed, purchased or leased, for use in this state, by such corporation, or which may be sent to the shops for general repair or for repair of the coupling fixtures thereof, some form of safety coupler or safety coupling device, by which the cars can be coupled and uncoupled from either side of the train without the necessity of going between the cars, and which will couple with other forms of safety coupler, and with the ordinary link and pin coupler: *Provided*, That no coupler or device for coupling of cars shall be adopted for use by any railroad company owning or operating any railroad wholly or partly within this state until approved by the commissioner of railroads: *Provided further*, That no freight cars shall be run upon any of the railroads within this state after the first day of January, eighteen hundred and ninety-one, unless furnished with safety couplers as provided by this act.

SECTION 2. The provisions of this act may be enforced by any circuit court of this State in a county through which the railroad of any company refusing to comply with such provisions may run, upon application of the commissioner of railroads, under such penalty as the said court may determine, of not less than one hundred dollars for each violation of the provisions of this act.

ACTS OF 1887.

ACT NO. 42.—*Incorporation of workingmen's aid societies.*

SECTION 1. Any number, not less than fifteen, of workingmen's aid societies, otherwise called Arbeiter Unterstuetzungs Vereine, which have been duly incorporated under the laws of Michigan, may unite or form a union or bund and become incorporated under the provisions of this act.

SECTION 2. Any such societies, not less than fifteen, desiring to form an incorporated union or bund, under this act, shall delegate one of their members by appropriate resolution, to be entered in the records of such societies, to act in executing articles of association under this act.

SECTION 3. Such delegates may, in behalf of their respective societies, make and execute under their hands and seals, articles of association, which articles of association shall be acknowledged before some officer of the state having authority to take acknowledgments of deeds, * * *.

SECTION 5. The affairs of such corporation shall be controlled by a convention of delegates, which shall meet at least once in every two years in some suitable place in this state. * * *

ACT NO. 50.—*Building and loan associations—Exemption from execution.*

SECTION 1. Whenever any number of persons, not less than five, may desire to become incorporated as a mutual building and loan association, for the purpose of building and improving homesteads and loaning money to the members thereof only, they shall make a statement to that effect, under their hands and seals, duly acknowledged before some officer, in the manner provided for the acknowledgment of deeds. * * *

SECTION 16. The shares held by any member, being a householder, of any association incorporated under the provisions of this act shall be exempted from levy and sale on execution or attachment to the amount of one thousand dollars in such shares, at the par value thereof: *Provided*, That such exemption shall not apply to any person who shall have a homestead exempted under the general laws of this state.

ACT NO. 94.—*Wages preferred—In insolvency.*

SECTION 1. All debts which shall be owing for labor by any person or persons or corporation at the time he, they or it shall become insolvent, shall be preferred claims against the estate of such insolvent debtor or debtors, and have precedence in the payment thereof over all debts owing by such insolvent debtor or debtors at the time of becoming insolvent, which shall not have become a lien on such estate, or some portion thereof, prior to the performance of the labor for which such debts for labor shall be owing.

SECTION 2. In case of suit upon any such preferred claim, or any claim a part of which is preferred as above provided, and the same be prosecuted to

judgment, the court rendering judgment thereon shall specify in such judgment the part, portion or amount for which the same is a preferred claim hereunder against the estate of the defendant or defendants, and thereupon executions may be issued from said court requiring that the amount of such preferred claim be first made out of the goods and chattels, and for want thereof, then of the lands and tenements of the defendant or defendants therein named, and that the remaining portion of such judgment, if any, shall be collected and made under said execution [executions] as any other unpreferred claim is required to be collected and made under the statute in such case made and provided. * * *

SECTION 3. Any person having a preferred claim hereunder, the amount whereof shall be one hundred dollars or more, or any two or more persons having such claim, the aggregate amount whereof shall be one hundred dollars or more, and who may join for the purpose, may proceed in chancery for the appointment of a receiver, and the marshaling of assets, and the application thereof to the payment of the claim or claims involved, * * * .

ACT NO. 136.—*Emery wheels, etc., in factories—Blowers to be provided.*

SECTION 1. All factories and workshops where emery wheels or emery belts, of any description, are used, either solid emery, leather, leather-covered, felt, canvas, linen, paper or wheels rolled in emery, or corundum, shall be provided with blowers or similar apparatus, which shall be placed over, beside or under said wheels, in such manner as to carry away the dust arising from said emery wheels while in operation, directly to the outside of the building, or some receptacle placed so as to receive such dust.

SECTION 2. Any person, company or corporation who shall willfully neglect or refuse to comply with the provisions of this act shall, for each offense, forfeit the sum of one hundred dollars, to be recovered in an action of debt in any court of competent jurisdiction.

SECTION 3. Nothing in this act shall apply to factories, sawmills, shingle mills, and workshops in which such wheels or belts are occasionally used and only by men not especially employed for that purpose.

CHAPTER 152.—*Employment, hours of labor, etc., of children.*

SECTION 1. No person, company, or corporation shall employ any male child under fourteen years of age nor any female under sixteen years of age for more than nine hours in any one day.

SECTION 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding fifty and not less than ten dollars, or by imprisonment in the county jail not more than thirty nor less than ten days, or by both fine and imprisonment, at the discretion of the court. If any company or corporation shall violate any of the provisions of this act such company or corporation shall for each violation forfeit the sum of fifty dollars, to be recovered in an action for debt in any court of competent jurisdiction.

SECTION 3. It is hereby made the duty of the prosecuting attorney of the county where complaint shall be made to investigate all complaints made in violation of this act that may be brought before him, and, if there is probable cause, to prosecute in the name of the people of the state of Michigan in courts having complete jurisdiction thereof, all offenses contemplated by this act.

SECTION 4. This act shall not apply to persons engaged in agriculture, or in the performance of domestic duties, or clerks in stores.

ACT NO. 213.—*Mine regulations and inspection.*

SECTION 1. The board of supervisors of any county in the Upper Peninsula in this state where there are mines situated and working, are hereby authorized and directed * * * , to appoint some suitable person who is a practical miner an inspector of mines, and as many deputy inspectors as, in their judgment, may be necessary for the purpose of discharging the duties hereinafter prescribed, * * * .

SECTION 3. The duties of the mine inspector shall be to visit all the mines in his county producing iron ore once in every sixty days, and oftener if in his judgment necessary; and the mines producing gold, silver, copper and slate once in each year, and oftener if in his judgment necessary, and closely inspect the mines so visited, and condemn all such places where he shall find that the employés

are in danger from any cause, whether resulting from careless mining or defective machinery or appliances of any nature; he shall compel the erection of a partition between all shafts where hoisting of ore is performed and where there are ladder-ways, where men must ascend and descend, going to and from their work. In case the mine inspector shall find that a place is dangerous from any cause as aforesaid, it shall be his duty to order the men engaged in work at the said place to quit work immediately, and he shall notify the superintendent, agent or person in charge to secure the place from the existing danger, which said notification or order shall be in writing, and shall clearly define the limits of the dangerous place, and specify the work to be done or change to be made to render the same secure, ordinary mine risks excepted. It shall also be the duty of the mine inspector to command the person, persons or corporation working said mine, or the agent or boss of such person, persons or corporation under his jurisdiction, to furnish all shafts of their mines with some secure safeguard at the top of the shaft so as to guard against accidents by persons falling therein or by material falling down the same, also a covering overhead on all the carriages on which persons ascend or descend up and down the shaft, if in his judgment it shall be practicable and necessary for the purpose of safety.

SECTION 4. If any man or men are allowed to continue work in any place condemned by the mine inspector, except to do the work required to be done to insure safety before said place has received the necessary changes to secure the safety (ordinary risks of mining excepted) of the laborers engaged therein, the person, persons or corporation operating said mine shall be liable for all accidents causing injuries or death to employés working in or about such place until the order referred to in the preceding section shall have been complied with or revoked.

SECTION 5. It shall be the duty of the person, persons or corporation, or the superintendents or agents of the same, when the mine inspector arrives at any mine on his official business, to furnish for his inspection all maps, drawings and plans of the mine, together with plans of all contemplated changes in the manner of working the mine, or any part thereof; to furnish him with such suitable person or persons as he may desire to accompany him through the mine or any part thereof; and also to furnish him with suitable ladders and other necessary appliances to make a proper inspection; and should they, or any of them, neglect or refuse to comply with any of the provisions of this section, such refusal or neglect shall be punished by a fine of not less than one hundred nor more than five hundred dollars for each and every offense.

SECTION 7. When ten persons working in any mine, or place where mining is done, shall notify the mine inspector, in writing, that his services are needed, he shall immediately make inspection, or send any one of his assistants to do so: *Provided, however*, That it shall be made to appear to said inspector that they, the said men so complaining, have called the attention of the superintendent, agent, mining captain, or boss to the condition of such place, pointed out the danger in working therein or thereat, and the said person or persons so notified have either neglected or refused to make the same secure or safe for work, ordinary mine risks excepted.

SECTION 8. It shall be the duty of each of the inspectors of mines appointed under this act to make and file with the clerk of the county for which he was appointed, at least ten days before the time fixed by law for the annual autumn meeting of the board of supervisors, an annual report of his acts and proceedings under this act, specifying, among other things, the number of mine accidents occurring during the preceding year causing either death or injury to persons, giving the name of the mine where, and the circumstances surrounding said accidents, and so classifying said accidents as to show what occurred through the fault or negligence of employers, and those occurring through the fault or negligence of employés, and giving the results of inquests, if any have been held, in case of accidents causing death.

ACTS OF 1889.

ACT NO. 2.—*Penalties for injuries to mines and mine property.*

SECTION 1. Every person who shall willfully and maliciously cut, break, obstruct, injure or destroy or cause to be cut, broken, obstructed, injured or destroyed, any pump, pump-rod, man-engine, ladder, ladder-way, skip, skip-track, car, car-track, bell, signal, rope, cable or any other appliance or thing, whether herein particularly mentioned or not, used for or connected with the

hoisting or pumping apparatus, or means of escape; or any stull, timber, plank, platform or other appliance or other thing, whether herein particularly mentioned or not, used for or connected with securing or upholding rock, or used for or connected with the purpose of securing the safety of workmen, the same being underground in any mine; or shall do the like to any structure, shaft-house, or machinery or appliances in or connected with any shaft house or shaft above ground in any mine used or connected with pumping, signaling, hoisting men or materials, or with securing the safety of workmen under ground, such mine being then in use or operation, shall be deemed guilty of felony and be punished by imprisonment in the State prison not more than twenty years, or by fine not exceeding five thousand dollars, in the discretion of the court.

ACT NO. 195.—*Exemption from taxation.*

SECTION 3. The following property shall be exempt from taxation:

* * * * * * *

Fifth. Library or school books of the value of one hundred and fifty dollars, the personal wearing apparel of every individual and all family pictures;

Sixth. Furniture and utensils in use in any dwelling house, of the value of two hundred dollars; musical instruments not exceeding in value one hundred and fifty dollars, and other personal property owned and used by any householder in connection with his house, or business, of the value of two hundred dollars;

Seventh. The personal and real property of persons who, in the opinion of the supervisor, are, by reason of poverty, unable to contribute towards public charges.

ACT NO. 225.—*Anti-trust act—Exception in favor of laborers.*

SECTION 1. All contracts, agreements, understandings and combinations made, entered into, or knowingly assented to, by and between any parties capable of making a contract or agreement which would be valid at law or in equity, the purpose or object or intent of which shall be to limit, control, or in any manner to restrict or regulate the amount of production or the quantity of any article or commodity to be raised or produced by mining, manufacture, agriculture or any other branch of business or labor, or to enhance, control or regulate the market price thereof, or in any manner to prevent or restrict free competition in the production or sale of any such article or commodity, shall be utterly illegal and void, and every such contract, agreement, understanding and combination shall constitute a criminal conspiracy. And every person who, for himself personally, or as a member or in the name of a partnership, or as a member, agent, or officer of a corporation, or of any association for business purposes of any kind, who shall enter into or knowingly consent to any such void and illegal contract, agreement, understanding or combination, shall be deemed a party to such conspiracy. And all parties so offending shall, on conviction thereof, be punished by fine of not less than fifty dollars, nor more than three hundred dollars, or by imprisonment in the county jail not more than six months, or by both such fine and imprisonment at the discretion of the court. * * *

SECTION 6. The provisions of this act shall not apply * * * to the services of laborers or artisans who are formed into societies or organizations for the benefit and protection of their members.

ACT NO. 238.—*Court of mediation and arbitration.*

SECTION 1. Whenever any grievance or dispute of any nature shall arise between any employer and his employés, it shall be lawful to submit the same in writing to a court of arbitrators for hearing and settlement, in the manner hereinafter provided.

SECTION 2. * * * The governor may, whenever he shall deem it necessary, with the advice and consent of the senate, appoint a state court of m diation and arbitration to consist of three competent persons who shall hold their terms of office respectively one, two and three years, and upon the expiration of their respective terms the said term of office shall be uniformly for three years. * * * Said court shall have a clerk or secretary who shall be appointed by the court to serve three years, whose duty it shall be to keep a full and faithful record of the proceedings of the court and also all documents, and to perform such other duties as the said court may prescribe. He shall have

power, under the direction of the court, to issue subpœnas, to administer oaths in all cases before said court, to call for and examine all books, papers and documents, of any parties to the controversy, with the same authority to enforce their production as is possessed by the courts of record or the judges thereof, in this state. * * *

SECTION 3. Whenever any grievance or dispute of any nature shall arise between any employer and his employés, it shall be lawful for the parties to submit the same directly to said state court, and shall jointly notify said court or its clerk, in writing of such grievance or dispute. Whenever such notification to said court or its clerk is given, it shall be the duty of said court to proceed, with as little delay as possible, to the locality of such grievance or dispute, and inquire into the cause or causes of grievance or dispute. The parties to the grievance or dispute shall thereupon submit to said court in writing, succinctly, clearly and in detail, their grievances and complaints, and the cause or causes thereof, and severally agree in writing to submit to the decision of said court as to matters so submitted, and a promise or agreement to continue on in business or at work, without a lock-out or strike, until the decision of said court, provided it shall be rendered within ten days after the completion of the investigation. The court shall thereupon proceed to fully investigate and inquire into the matters in controversy, and to take testimony under oath in relation thereto, * * *.

SECTION 4. After the matter has been fully heard, the said board, or majority of its members, shall, within ten days, render a decision thereon in writing, signed by them or a majority of them, stating such details as will clearly show the nature of the decision and the points disposed of by them. The decision shall be in triplicate, one copy of which shall be filed by the clerk of the court in the clerk's office of the county where the controversy arose and one copy shall be served on each of the parties to the controversy.

SECTION 5. Whenever a strike or lock-out shall occur, or is seriously threatened in any part of the state, and shall come to the knowledge of the court, it shall be its duty, and it is hereby directed to proceed, as soon as practicable, to the locality of such strike or lock-out and put itself in communication with the parties to the controversy, and endeavor by mediation to effect an amicable settlement of such controversy; and if in its judgment it is deemed best, to inquire into the cause or causes of the controversy, and to that end the court is hereby authorized to subpœna witnesses, compel their attendance, and send for persons and papers, * * *.

SECTION 7. Said court shall make a yearly report to the legislature and shall include therein such statements, facts and explanations as will disclose the actual working of the court, and such suggestions as to legislation as may seem to them conducive to harmonizing the relations of, and disputes between, employers and the wage-earning.

SECTION 9. Whenever the term "employer" or "employers" is used in this act it shall be held to include "firm," "joint stock association," "company" or "corporation," as fully as if each of the last-named terms was expressed in each place.

ACT NO. 265.—*Employment, hours of labor, etc., of children.*

SECTION 1. No male child under fourteen years of age or female under fifteen years of age shall be employed at labor in factories, or in manufacturing establishment or mercantile industries in this state, for a longer period than fifty-four hours in any week.

SECTION 2. No child under twelve years of age shall be employed in any factory, manufacturing or mercantile establishment within this state. It shall be the duty of every person employing children under the age of fourteen years to keep a register in which shall be recorded the name, age and residence of every person so employed by him. And it shall be unlawful for any factory, manufacturing or mercantile establishment to hire or employ any child under the age of fourteen years without first receiving the permission, in writing, by the parent or guardian, stating the name and age of said child. If said child have no parent or guardian, there shall be a written statement under oath by said child.

SECTION 3. Every person, firm or corporation employing such children in any factory, manufacturing or mercantile establishment, shall require the permit or affidavit mentioned in section two of this act to be executed before such

child shall be permitted to enter upon the discharge of his duties or employment. No person, firm, or corporation employing less than ten persons or children shall be deemed a manufacturing or mercantile establishment within the meaning of this act.

SECTION 4. It shall be the duty of the owner, agent, or lessee [or] of any factory, manufactory or mercantile establishment where hoisting shafts or well-holes are used to cause the same to be properly and substantially inclosed or secured, if it is necessary to protect the life and limbs of those employed in such establishments. It shall be the duty of the owner, agent, or lessee, to provide or cause to be provided, such proper track or automatic doors, so fastened in or at all elevator ways, as to form a substantial surface, when closed, and so constructed as to open and close by the action of the elevator in its passage, either ascending or descending.

SECTION 5. It shall be the duty of the owner of such factory, mercantile industry or manufacturing establishment, or his agent, superintendent or other person in charge of the same, to furnish and supply, or cause to be furnished and supplied, in the discretion of the inspector, where dangerous machinery is in use, automatic shifters, or other mechanical contrivances of throwing on or off belts or on pulleys; and no minor under fourteen years of age shall be allowed to clean machinery while in motion. All gearing and belting shall be provided with proper safeguards.

SECTION 6. If the heating, lighting, ventilation or sanitary arrangement of any shop or factory is such as to be injurious to the health of persons employed therein, or that the means of egress in case of fire or other disaster is not sufficient or in accordance with all the requirements of law, or that the belting, shafting, gearing, elevators, drums and machinery in the shops and factories are located so as to be dangerous to employés, and not sufficiently guarded, or that the vats, pans or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, after due notice of such defect, said proprietors or agents shall be deemed guilty of violating the provisions of this act.

SECTION 7. The prosecuting attorney of any county of this state is hereby authorized upon request of any person of full age, to commence and prosecute to termination, before any justice of the peace or circuit court, in the name of the people of the state of Michigan, actions or proceedings against any person or persons reported to him to have violated the provisions of this act.

SECTION 8. Any person who violates or omits to comply with any of the foregoing provisions of this act, or who suffers or permits any child to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by fine of not to exceed one hundred dollars, or sixty days imprisonment, or both in the discretion of the court. * * *

MINNESOTA.

CONSTITUTION.

ARTICLE 1.—*Exemption from execution etc.*

SECTION 12. (Proviso added by an amendment adopted Nov. 6th, 1888). * * * A reasonable amount of property shall be exempt from seizure or sale, for the payment of any debt or liability; the amount of such exemption shall be determined by law: *Provided, however*, That all property so exempted shall be liable to seizure and sale for any debts incurred to any person for work done or materials furnished in the construction, repair, or improvement of the same: *And provided, further*, That such liability to seizure and sale shall also extend to all real property for any debt incurred to any laborer or servant for labor or service performed.

GENERAL STATUTES OF 1878, EDITION OF 1883.

CHAPTER 24.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. In all manufactories, workshops, and other places used for mechanical and manufacturing purposes in this state, where children under the age of eighteen years and women are employed, the time of labor of the persons afore-

said shall not exceed ten hours for each day; and any owner, stockholder or overseer, employer, clerk or foreman, who compels any woman or any child under eighteen years of age to labor in any day exceeding ten hours, or permits any child under the age of fourteen to labor in any factory, workshop or other place used for mechanical or manufacturing purposes, for more than ten hours in any one day, where such owner, stockholder, overseer, employer, clerk or foreman has control, such person so offending shall be liable to a prosecution in the name of the state of Minnesota, before any justice of the peace, or court of competent jurisdiction, of the county wherein the same occurs, and, upon conviction thereof, shall be fined in any sum not less than ten or more than one hundred dollars.

SECTION 2. In all engagements to labor in any mechanical or manufacturing business, a day's work, when the contract of labor is silent upon the subject, or when there is no express contract, shall consist of ten hours, and all agreements, contracts, or engagements, in reference to such labor, shall be so construed.

CHAPTER 34.—*Contractor's bond—Security for wages of railroad employés.*

SECTION 89. That when any railroad company shall contract with any person for the construction or repairing of its road, or any part thereof, such railroad company shall take from the person with whom such contract is made, a good and sufficient bond with sureties, conditioned that such person shall pay all laborers, mechanics, all just debts due to such persons, or to any person to whom any part of such work is given, incurred in carrying on such work, which bond, or a certified copy thereof, shall be filed by said railroad company, in the office of the register of deeds in each county where the work of such contractor shall be. All persons to whom such contractor shall be indebted for work as aforesaid, and every railroad company who shall have paid any debt, claim or demand as hereinafter provided, shall have an action on said bond, to the full amount of debts awarded against such contractors. And if any such railroad company shall fail to take and file such bonds, or if any contractor or subcontractor shall be indebted for work or services as aforesaid, said railroad company shall be liable to the persons mentioned aforesaid, to the full extent of all such debts so contracted by said contractor, or pursuant to the terms of said contract: *Provided*, Such laborers, or mechanics (or other persons) shall give the notice and take the action prescribed in the subsequent sections of this act.

SECTION 90. Whenever any person, being contractor or subcontractor employed by or in pursuance of the terms of any contract with any railroad company for the construction or repairing of any portion of any railroad, shall be indebted to any laborer or mechanic for services rendered, such railroad company shall be liable to pay such laborer or mechanic the amount of such debt: *Provided*, Such laborer or mechanic shall have given notice to such railroad company, within thirty days after such debt shall have accrued, that he has such debt: *Provided*, Such debt shall have accrued within sixty days prior to the giving of such notice. Such notice shall be in writing, and shall specify the particular nature and amount of such debt, claim or demand, and shall be delivered to the secretary or chief engineer of such company, or to the engineer in charge of the construction or repairing of that portion of the road upon which such labor was performed, either personally, or by leaving the same at the office or usual place of business of such secretary or engineer.

SECTION 91. No action shall be maintained against any railroad company under the provisions of this act, unless the same is commenced within sixty days after the service of notice aforesaid.

CHAPTER 34.—*Coöperative associations.*

SECTION 155. Seven or more persons of lawful age, inhabitants of this state, may, by written articles of agreement, associate themselves together for the purposes of trade, or for carrying on any lawful mechanical, manufacturing or agricultural business within this state; and, when such articles of association shall have been executed, and recorded in the office of the clerk of the city or town in which the business is to be carried on, such persons shall be and become a corporation, and enjoy all the powers and privileges, and be subject to all duties, restrictions and liabilities, set forth in all general laws in relation to similar corporations, except so far as the same may be limited or enlarged by this act.

SECTION 159, (as amended by chapter 13, acts of 1881, extra session). The amount of capital stock of such association shall be fixed and limited in its articles of as-

sociation, and it may be any sum not exceeding one hundred thousand dollars. The association may increase or diminish its amount and its number of shares at any meeting of the stockholders especially called for that purpose, and, within thirty days after the passage of any vote increasing or diminishing its capital stock, cause such vote to be recorded in the clerk's office in the place where its business is carried on; but no share shall be issued for less than its par value.

SECTION 161. * * * no member thereof shall be entitled to hold or claim any interest therein exceeding the sum of one thousand dollars, nor shall any member, upon any subject, be entitled to more than one vote.

SECTION 162. No certificate of shares shall be issued to any person until the full amount thereof shall have been paid in cash: no person shall be allowed to become a shareholder in such association except by the consent of the managers of the same.

SECTION 165, (as amended by chapter 13, acts of 1881, extra session). There shall be such distribution of the profits on earnings of such association among the workmen, purchasers, members, and stockholders as shall be prescribed by the by-laws at such times therein prescribed, and as often, at least, as once in twelve months.

CHAPTER 34.—*Exemption from execution, etc.—Beneficiary funds.*

SECTION 369. When any benevolent association or society, * * * set apart or appropriate a beneficiary fund to be paid over to the families of deceased, or to any member of said families, any such fund, not exceeding the sum of five thousand dollars, so provided and set apart, according to the rules, regulations or by-laws of said association or society, to the family of any deceased member, or to any member of said family, shall be exempt from execution, and shall under no circumstances be liable to be seized, taken or appropriated by any legal or equitable process, to pay any debt of such deceased member.

CHAPTER 41.—*Wages preferred—In assignments.*

SECTION 28. * * * After the payment, by the assignee or assignees, of the costs, charges and expenses of making and executing the assignment and executing the trust, all debts of the debtor or debtors shall be paid in the order and precedence following, that is to say:

First. All debts owing to the United States, and all debts owing to the state of Minnesota, and all taxes and assessments levied and unpaid, shall be paid in full before the payment of any other debts.

Second. All debts owing for the wages of servants, laborers, mechanics and clerks, for labor and services performed for the debtor or debtors, within three months next preceding the date of the assignment, shall next be paid in full, to the exclusion of all other indebtedness, if there shall be sufficient wherewith to pay the same in full; if not, they shall be paid *pro rata*, so far as they can be paid; but to entitle a creditor for wages to payment under this subdivision, the proof or verification of the claim must show the character of the labor or services, and that the same was performed within the time above mentioned.

CHAPTER 66.—*Exemption from execution, etc.—Personal property.*

SECTION 310. No property hereinafter mentioned or represented shall be liable to attachment, or sale on any final process, issued from any court in this state:

First. The family Bible;

Second. Family pictures, school-books or library, and musical instruments for use of family;

Third. A seat or pew in any house or place of public worship;

Fourth. A lot in any burial-ground;

Fifth. All wearing apparel of the debtor and his family; all beds, bedsteads and bedding, kept and used by the debtor and his family; all stoves and appendages put up or kept for the use of the debtor and his family; all cooking utensils; and all other household furniture not herein enumerated, not exceeding five hundred dollars in value; also all moneys arising from insurance of any property exempted from sale on execution, when such property has been destroyed by fire;

Sixth. Three cows, ten swine, one yoke of oxen and a horse, or, in lieu of one yoke of oxen and a horse, a span of horses or mules, twenty sheep, and the wool from the same, either in the raw material or manufactured into yarn or cloth; the

necessary food for all the stock mentioned in this section for one year's support, either provided or growing, or both, as the debtor may choose; also, one wagon, cart or dray, one sleigh, two plows, one drag, and other farming utensils, including tackle for teams, not exceeding three hundred dollars in value;

Seventh. The provisions for the debtor and his family necessary for one year's support, either provided or growing, or both, and fuel necessary for one year;

Eighth, (as amended by chapter 25, acts of 1881). The tools and instruments of any mechanic, miner, or other person, used and kept for the purpose of carrying on his trade, and, in addition thereto, stock in trade, including articles or goods manufactured in whole or in part by him, not exceeding four hundred dollars in value * * *;

Ninth. One sewing machine;

Tenth, (as amended by chapter 34, acts of 1885). Necessary seed-grain for the actual personal use of the debtor, for one season, to be selected by him; not, however, in any case, to exceed the following kinds and amounts respectively, viz: fifty bushels of wheat, fifty bushels of oats, fifteen bushels of potatoes, three bushels of corn, and thirty bushels of barley, and binding material sufficient for use in harvesting the crop raised from the seed-grain above specified;

Eleventh, (as amended by chapter 5, acts of 1879). The wages of any laboring man or woman, or of his or her minor children, in any sum not exceeding fifty dollars, due for services rendered by him or them for any person for and during ninety days preceding the issue of process of attachment, garnishment or execution in any action against such laborer: *Provided, however*, That the exemptions provided for * * * shall extend only to debtors having an actual residence in this state.

SECTION 311. The property hereinbefore mentioned is not exempt from any attachment issued in an action for the purchase money of the same property, or from an execution issued upon any judgment rendered therein.

SECTION 312. The earnings of any minor child of any debtor within this state, or the proceeds thereof, shall not be liable to attachment, garnishment, or sale on any final process of a court, in any action against such debtor, by reason of any debt or liability of such debtor not contracted for the especial benefit of such minor child.

CHAPTER 68.—*Exemption from execution, etc.—Homesteads.*

SECTION 1. A homestead, consisting of any quantity of land not exceeding eighty acres, and the dwelling-house thereon and its appurtenances, to be selected by the owner thereof, and not included in the laid-out or platted portion of any incorporated town, city or village, or, instead thereof, at the option of the owner, a quantity of land not exceeding in amount one lot, if within the laid-out or platted portion of any incorporated town, city or village having over five thousand inhabitants, or one-half acre, if within the laid-out or platted portion of any incorporated town, city or village having less than five thousand inhabitants, and the dwelling-house thereon and its appurtenances, owned and occupied by any resident of this state, shall not be subject to attachment, levy or sale upon execution, or any other process issuing out of any court within this state. This section shall be deemed and construed to exempt such homestead, in the manner aforesaid, during the time it shall be occupied by the widow or minor child or children of any deceased person who was, when living, entitled to the benefits of this act. And whenever a married man shall abscond from the state, or desert his wife or minor children, the wife or minor children may continue to occupy such homestead, with the same right therein as any other owner of a homestead under the laws of the state: and that the same shall not be subject to levy or sale upon attachment, execution, or other final process issued against the said husband, or against the said wife, or against the said husband and wife: *Provided*, they shall not have the right to sell or convey the said homestead.

SECTION 2. Such exemption shall not extend to any mortgage thereon lawfully obtained; but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of the wife to the same, unless such mortgage shall be given to secure the payment of the purchase money, or some portion thereof. And such exemption shall not extend to any contract for a lien, or upon which a lien would arise under the lien laws of this state, for work done or material furnished in the erection or repair of a dwelling-house or other building on said land.

CHAPTER 90.—*Wages preferred—In assignments, administration, executions, etc.*

SECTION 22. All moneys that may be due or shall hereafter become due for labor or services rendered by any mechanic, clerk, laborer or servants, from any person or persons, or chartered company, employing mechanics, clerks, laborers or servants, either as owners, lessees, contractors or under owners of any works, manufactory, or other business, of whatever description, where mechanics, clerks, laborers or servants are employed, whether at so much per diem or otherwise, for any period not exceeding six months immediately preceding the sale and transfer of such works, manufactory or business, or other property connected therewith in carrying on said business, by executors or otherwise, or preceding the death or insolvency of such employer or employers, shall be a lien upon said works, manufactory, business or other property in and about, or used in carrying on, said business, or in connection therewith, to the extent of the interest of said employer or employers, owners or contractors, as the case may be, in said property, and shall be preferred and first paid out of the proceeds of the sale of such works, manufactory, business, or other property, as aforesaid: *Provided*, That [the] portion of such preferred claim of such mechanic, clerk, laborer or servant, thus preferred, shall not exceed two hundred dollars; * * *: *And provided, further*, That no such claim shall be a lien upon any real or personal estate unless the same shall be filed, if real estate, in the office of the register of deeds of the county in which such real estate is situated, within one month after the claim becomes due, in the same manner as mechanics' liens are now filed; and if upon personal property, such claims shall be filed in the office of the clerk of the town or city in which said property is situated, in the manner provided for the filing of chattel mortgages therein.

SECTION 23. In all cases of executions, attachments and writs of a similar nature, hereafter to be issued against any person or persons, or chartered company, engaged as before mentioned, it shall be lawful for such mechanics, clerks, laborers or servants to give notice in writing of their claim or claims, and the amount thereof, to the officers executing either of such writs, at any time before the actual sale of the property levied upon; and such officers shall pay to such mechanics, clerks, laborers and servants, out of the proceeds of sale, the amount each is justly and legally entitled to receive, not exceeding two hundred dollars, as may be agreed on by the parties in interest, or by the judgment of any court of competent jurisdiction.

SECTION 24. In all cases of the death, insolvency or assignment of any person or persons, or chartered company, engaged in operations as hereinbefore mentioned, or of executions issued against them, the lien or preference mentioned in the first section of this act, with the like limitations and powers, shall extend to all the property of said persons or chartered company.

SECTION 25. No mortgage or other instrument by which a lien is hereafter created, shall operate to impair or postpone the lien and preference given and secured to the wages and moneys mentioned in the first section of this act: *Provided*, That no lien of mortgage or judgment, entered before such labor is performed, shall be affected or impaired thereby.

SECTION 26. Any verbal or written agreement, expressed or implied, made by or between any person or persons, or chartered company or companies, designed to act as a waiver of any right under this act, or any portion thereof, shall be wholly null and void.

CHAPTER 124.—*Fire escapes on factories, etc.*

SECTION 263, (added by chapter 133, acts of 1883). The proprietors and lessees of all buildings of two or more stories in height, used or occupied as tenements, lodging rooms, boarding-houses, * * * or manufactories, shall provide for and equip said buildings with such protection against fire and escape from said buildings as shall be hereinafter set forth in this bill.

SECTION 264, (added by chapter 133, acts of 1883). The classification of buildings shall be as follows:

* * * * * * *

Third. Tenements or boarding houses of three or more stories in height, occupied by one or more families, consisting of more than twenty persons: *Provided*, A mansard roof or attic, when used as sleeping rooms, shall be counted as one story.

* * * * * * *

Eighth. Manufactories over two stories in height, employing above the first story more than twenty-five persons.

SECTION 265, (added by chapter 133, acts of 1883). The appliances to be used are as follows:

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Buildings under classification three * * * shall have for each five thousand superficial feet of area covered by said building, at least one outside standpipe, two and one-half inches or larger, * * *, and at least one non-combustible ladder or stairway for each twenty persons occupying said building above the first story.

Buildings under classification eight * * * for each two thousand five hundred superficial feet of area covered by said building, shall be provided with an inside standpipe of not less than one and one-half inches diameter, and sufficient hose connected therewith of not less than one and one-quarter inches inside diameter on each floor, and furnished with a constant water pressure by waterworks, or by steam or other pump, which can be put in motion at a moment's notice; or for each five thousand superficial feet of area covered by said building, there shall be one two and one-half inch or larger metallic standpipe, with metallic ladder attached, above the first story, located and arranged as provided for in classification two; also, one chemical fire-extinguisher located on each floor above the first. There shall also be provided for every forty persons employed above the second story, one non-combustible stairway, or for every twenty persons one non-combustible ladder, located upon the outside of the building, accessible from roof and each story above the first, and reaching to or within twelve feet of the ground or sidewalk. All standpipes, ladders, and non-combustible stairways required by this section shall be provided by the owner or owners of the building, and all other requirements of this section shall be provided by the lessees of such building, unless otherwise agreed upon between the owner or owners and lessees.

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SECTION 267, (added by chapter 133, acts of 1883). It is hereby made the duty of every fire-warden, marshal, or chief of police of every incorporated town, village, or city, or, where such officers are not provided for, the board of education, directors of school-districts, and boards of county commissioners, to enforce this act, and any person failing to comply with the provisions of this act within thirty days after being notified by the proper officer in writing, shall pay or forfeit the sum of one hundred dollars, with cost of prosecution of the same, to be enforced by civil action before any competent tribunal, or imprisoned until such fine and cost are paid, not exceeding ninety days; * * *.

ACTS OF 1885.

CHAPTER 184.—*Exemption from execution—Benefits of co-operative life insurance companies.*

SECTION 17. The money or other benefit, charity, relief or aid to be paid, provided or rendered by any corporation, association or society authorized to do business under this act, ["To provide for incorporation and regulation of co-operative or assessment life, endowment and casualty insurance associations and societies."] shall be exempt from execution, and shall not be liable to be seized, taken or appropriated by any legal or equitable process to pay any debt or liability of a member.

CHAPTER 205.—*Regulation of employment offices.*

SECTION 1. No person shall engage in the business of keeping an employment bureau or office, or agency for the purpose of hiring men to work for others, and receive a compensation for such hiring, without first having obtained a license so to do, as hereinafter provided; and any person who shall engage in such business without such license shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding ninety days, or both.

SECTION 2. Any person who desires to engage in said business may apply to the common council, if such business is to be carried on in a city, or to the village council if in a village, or to the county commissioners of the county in which

such business is to be carried on, if in the country, for such license, and upon paying into the treasury of such city, village or county the sum of one hundred dollars, and upon executing and delivering to such common council, village council or county commissioners, a bond in the penal sum of ten thousand dollars, with sufficient sureties to be approved by such common or village council or county commissioners, he shall be entitled to such license.

SECTION 3. The bond shall run to the state of Minnesota, and shall be conditioned for the payment of any damage which any person secured or engaged to labor for others by the obligor may sustain by reason of any unauthorized act, fraud, or misrepresentation on the part of such agent, for such hiring. The bond shall be filed with the city clerk, if approved by the common council, with the village recorder if approved by a village council, and with the county auditor if approved by the board of county commissioners. Any person licensed and having given bond as herein provided, may, while continuing to reside or maintain his office at the place mentioned in such license, prosecute his said business in any part of the state.

SECTION 4. Any person hired or engaged to work for others, by one so licensed as aforesaid, who shall fail to get employment according to the terms of such contract of hire or engagement by reason of any unauthorized act, fraud, or misrepresentation on the part of such agent, may bring an action upon said bond, and may recover in such action against the principal and sureties the full amount of his damages sustained by reason of such unauthorized act, fraud, or misrepresentation, together with his cost and disbursement in such action.

CHAPTER 206.—*Hours of labor—Locomotive engineers and firemen.*

SECTION 1. On all lines of railroad operated in this state the time of labor of the locomotive engineers and firemen employed in running or operating the locomotive engines on or over such roads shall not at any time exceed eighteen (18) hours during one day: *Provided, however*, That nothing in this section shall be construed as allowing any locomotive engineer or fireman to desert his locomotive in case of accident or other unavoidable delay.

SECTION 2, (as amended by chapter 59, acts of 1887). Any officer, director, superintendent, master mechanic, foreman, agent or employé who compels any locomotive engineer or fireman to labor, in running or operating any locomotive engine on or over such roads, for more than eighteen (18) hours during one day, except as provided in section one of this act, such person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be punished by a fine of not less than twenty-five or more than one hundred dollars: *And provided further*, That all railroad corporations operating lines of road in this state, shall be liable for all injuries to its engineers or firemen resulting from their being obliged to labor for a longer period in any one day than that specified in section one of this act, and that nothing in this section shall be construed as allowing any locomotive engineer or fireman to desert his locomotive in case of accident or unwarrantable delay.

PENAL CODE OF 1886.

Conspiracy.

(Page 52.)

SECTION 138. If two or more persons conspire, either—

* * * * * * *

5. To prevent another from exercising a lawful trade or calling, or doing any other lawful act by force, threats, intimidation, or by interfering or threatening to interfere with tools, implements, or property belonging to or used by another, or with the use or employment thereof; or

6. To commit any act injurious to the public health, to public morals, or to trade or commerce, or for the perversion or obstruction of justice, or of the due administration of the laws—

Each of them is guilty of a misdemeanor.

SECTION 139. No conspiracy is punishable criminally unless it is one of those enumerated in the last section, and the orderly and peaceable assembling or cooperation of persons employed in any calling, trade, or handicraft, for the purpose of obtaining an advance in the rate of wages or compensation, or of maintaining such rate, is not a conspiracy.

SECTION 140. No agreement except to commit a felony upon the person of another, or to commit arson or burglary, amounts to a conspiracy, unless some act beside such agreement be done to effect the object thereof, by one or more of the parties to such agreement.

Sunday labor.

(Page 87.)

SECTION 222. The first day of the week being by general consent set apart for rest and religious uses, the law prohibits the doing on that day of certain acts hereinafter specified, which are serious interruptions of the repose and religious liberty of the community.

SECTION 223. A violation of the foregoing prohibition is Sabbath breaking.

SECTION 224. Under the term "day," as employed in the phrase "first day of the week," when used in this chapter, is included all the time from midnight to midnight.

SECTION 225, (as amended by chapter 54, acts of 1887). All labor on Sunday is prohibited excepting the works of necessity or charity. In works of necessity or charity is included whatever is needful during the day for the good order, health or comfort of the community: *Provided, however*, That keeping open a barber shop on Sunday for the purpose of cutting hair and shaving beards shall not be deemed a work of necessity or charity.

SECTION 226. It is a sufficient defense to a prosecution for servile labor on the first day of the week that the defendant uniformly keeps another day of the week as holy time, and does not labor upon that day, and that the labor complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week as holy time.

SECTION 228. All trades, manufactures, and mechanical employments upon the first day of the week are prohibited, except that when the same are works of necessity they may be performed on that day in their usual and orderly manner, so as not to interfere with the repose and religious liberty of the community.

SECTION 231. Sabbath breaking is a misdemeanor, punishable by a fine not less than one dollar and not more than ten dollars, or by imprisonment in a county jail not exceeding five days, or both.

Certain employments of children forbidden.

(Page 97.)

SECTION 250. A person who employs or causes to be employed, or who exhibits, uses, or has in his custody for the purpose of exhibiting or employing, any child apparently or actually under the age of sixteen years, or who, having the care, custody, or control of such child as parent, relative, guardian, employer, or otherwise, sells, lets out, gives away, or in any way procures or consents to the employment or exhibition of such a child, either—

1. As a rope or wire walker, dancer, gymnast, contortionist, rider, or acrobat; or,
2. In begging or receiving alms, or in any mendicant occupation; or,
3. In any indecent or immoral exhibition or practice; or,
4. In any practice or exhibition dangerous or injurious to the life, limb, health, or morals of the child,

Is guilty of a misdemeanor.

Penalties for creating unsafe amount of steam in boilers.

(Page 118.)

SECTION 312. A person who applies, or causes to be applied, to a steam boiler a higher pressure of steam than is allowed by law, or by the inspector, officer or person authorized to limit the pressure of steam to be applied to such boiler, is guilty of a misdemeanor.

SECTION 313. A captain or other person having charge of the machinery or boiler of a steamboat, used for the conveyance of passengers, in the waters of this State, who, from ignorance or gross neglect, or for the purpose of increasing the speed of the boat, creates, or causes to be created, an undue and unsafe pressure of steam, is guilty of a misdemeanor.

SECTION 314. An engineer or other person having charge of a steam boiler, steam engine, or other apparatus for generating or employing steam, employed

in a railway, manufactory or other mechanical works, who, willfully or from ignorance or gross neglect, creates or allows to be created, such an undue quantity of steam as to burst the boiler, engine or apparatus, or cause any other accident whereby human life is endangered, is guilty of a misdemeanor.

Coercion.

(Page 189.)

SECTION 490. A person who, with a view to compel another person to do or abstain from doing an act which such other person has a legal right to do or to abstain from doing, wrongfully and unlawfully,

* * * * * * *

(2) Deprives any such person of any tool, implement or clothing, or hinders him in the work thereof; or

(3) Uses or attempts the intimidation of such person by threats or force,

Is guilty of a misdemeanor.

ACTS OF 1887.

CHAPTER 13.—*Liability of railroad companies for injuries of employés.*

SECTION 1. Every railroad corporation owning or operating a railroad in this State shall be liable for all damages sustained by any agent or servant thereof by reason of the negligence of any other agent or servant thereof, without contributory negligence on his part, when sustained within this state, and no contract, rule or regulation between such corporation and any agent or servant, shall impair or diminish such liability: *Provided*, That nothing in this act shall be so construed as to render any rai road company liable for damages sustained by any employé, agent, or servant while engaged in the construction of a new road or any part thereof, not open to public travel or use.

CHAPTER 16.—*Railroads—Blocking of frogs, switches, and guard rails.*

SECTION 1. Any person or persons, railroad companies or corporations owning or operating any railroad or railroads in this state, shall be and are hereby required * * * to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads in all yards, divisional and terminal stations, so as to thoroughly protect and prevent the feet of employés and other persons from being caught therein.

SECTION 2. Any person or persons, railroad company or corporation, owning and operating a railroad in this state, who shall fail to comply with the provisions of this act, shall be fined in a sum of not less than five hundred dollars nor more than two thousand dollars, in the discretion of the court, for each offense and the neglect of any such person, company or corporation to comply with the provisions of this act, shall be deemed a violation of the same.

SECTION 3. All railroad companies owning or operating railroads or portions of railroads in this state, shall, in addition to the penalties prescribed in this act, be liable for any damage resulting from the failure to comply with the provisions thereof, such damage to be recovered by the persons injured or his or her legal representatives.

CHAPTER 115.—*Bureau of labor statistics.*

SECTION 1, (as amended by chapter 244, acts of 1889). The governor, with the advice and consent of the senate, is hereby authorized and directed to appoint * * * biennially on the first Monday in the month of January, a suitable person to act as commissioner of labor sta istics, and with headquarters at the capitol.

SECTION 2, (as amended by chapter 244, acts of 1889). The duties of such bureau shall be to collect, assort, systematize and present, in biennial reports to the legislature, on or before the first Monday in the month of January, statistical details relating to different departments of labor in the state, especially in relation to the commercial, industrial, social, educational and sanitary condition of the laboring classes, to visit and examine factories, workshops and all other places where people are employed at any kind of labor; and for this purpose the commissioner, or his deputy, shall have power to enter the same, interview employés, examine into the methods of protection from danger to employés, and unsanitary conditions in and around the establishment, and make a record

thereof. He shall see to it that all laws regulating the employment of children, minors and women, and all laws established for the protection of the health and lives of operatives in workshops, factories and all other places where labor is employed are enforced, and in case the commissioner or his deputies shall discover any violations of, or neglects to comply with the law in regard to child labor, hours of labor for women or children, protection to the health or lives of employés, and similar enactments now or hereafter to be made, he shall notify the owner or occupant of such factory, workshop or other establishment where labor is employed, in writing, of the offense or neglect, and if such offense or neglect is not corrected or remedied within thirty days after the service of the notice aforesaid, or if the officer of the bureau is refused admission to any establishment where labor is employed, the commissioner shall lodge formal complaint with the county attorney of the county in which the offense is committed or the neglect occurs, whereupon that officer shall proceed at once against the offender according to law, and shall, without further aid or presence of the commissioner of the bureau or his deputy, secure the necessary witnesses and evidence for the complete information of the jury. The commissioner shall in his biennial report give an account of all violations of the above-named laws which have been observed by the officers of the bureau, and his proceedings under the same together with such remarks, suggestions and recommendations as he may deem necessary.

SECTION 3, (as amended by chapter 244, acts of 1889). Every employer of labor shall, upon request, permit the commissioner of the bureau or his deputy to enter his factory, workshop or other establishment where labor is employed, and shall make to such bureau of labor statistics, such reports and returns as the said bureau may require for the purpose of compiling such labor statistics; such reports and returns to be verified by the owner or business manager of such concern if the commissioner or his deputy so desires; and the said bureau may for such purpose prescribe blank forms, which shall be furnished by the secretary of state; and every employer who shall refuse to permit the commissioner of the bureau or his deputy to enter his factory or workshop or other place where people are employed or who shall fail to make such reports or returns within the time prescribed therefor, shall forfeit the sum of ten dollars for each and every day the same shall be delayed. * * *

The biennial report of the commissioner of labor statistics, * * * shall be printed in the same manner and under the same regulations as the reports of the executive officers of the state: *Provided*, That not less than one thousand nor more than three thousand copies of the report shall be distributed as the judgment of the commissioner may deem best.

SECTION 4. The commissioner of the bureau shall have power to issue subpœnas, administer oaths and take testimony in all matters relating to the duties herein required by said bureau; such testimony to be taken in some suitable place in the vicinity to which such testimony is applicable. * * *

SECTION 5, (as amended by chapter 244, acts of 1889). * * * The commissioner shall appoint a clerk and two deputies, whose name shall first be submitted to the governor for his approval: and said commissioner shall not appoint any clerk or deputy whose name so submitted to the governor is not by him approved; who shall be empowered to act as factory-inspectors in addition to their duties as deputies of the bureau.

CHAPTER 149.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1. That in every public department, and upon all the public works of the state of Minnesota, and the counties, towns, cities and villages, thereof, honorably discharged Union soldiers and sailors, who are properly qualified, shall be preferred for appointment and employment. Age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them: *Provided*, They possess the other requisite qualifications for the proper discharge of the duties of the position sought.

CHAPTER 208.—*Convict labor—Prohibited in reformatory.*

SECTION 18. The board of managers shall make suitable provision for the education and instruction of the prisoners in the trades or employments for which they shall seem best fitted: *Provided*, That said board shall retain the control of the convict labor in their own hands. The system of convict labor is prohibited in said reformatory.

ACTS OF 1889.

CHAPTER 9.—*Trade-marks of trade unions, etc.*

SECTION 1. It shall be lawful for associations and unions of workmen to adopt for their protection labels, trade-marks and advertisements used by such unions or associations, announcing that goods manufactured by members of such associations or unions are so manufactured by such members.

SECTION 2. That any and all persons using such union or association trade-mark, labels or advertisements, whether exactly like such labels, trademarks or advertisements, or not, if with the intention to or likely to deceive the public, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than than ten (10) days nor more than thirty (30) days, or a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

SECTION 3. That every person who shall use any such counterfeited trade-mark, label or advertisement of such a union or association after having been notified that the same is so counterfeited, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than ten (10) days nor more than thirty (30) days, or by fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

SECTION 4. That every association of workingmen or labor union adopting a label, trade-mark or advertisement of the kind specified in the first section of this act, shall record the same in the office of the secretary of state by leaving two (2) copies of said labels or advertisements with said secretary of state, who shall under his hand and seal deliver to the association or union recording such label or advertisements, a certificate of record, for which he shall receive a fee of one (1) dollar.

SECTION 5. That every association of workingmen or labor union adopting a label, trade-mark or advertisement of the kind specified in the first section of this act, may proceed by suit in any of the courts of the state to enjoin the manufacture, use, display or sale of counterfeits or imitations of such labels, trademarks or advertisements, and that all courts having jurisdiction of the persons, and upon satisfactory proof of such wrongful use shall grant an injunction for such wrongful use of such counterfeits, and shall award the complainants such damages resulting from such wrongful use as may be proved, and shall require the defendants to pay to the complainant the profits derived from such wrongful use, or both profits and damages, and the courts shall also order all counterfeit labels and advertisements in the possession or under the control of the defendant in such cause to be delivered to an officer of the court or to the complainants to be destroyed.

SECTION 6. In like manner such unions or associations of workingmen shall be authorized to proceed against all persons who shall wrongfully use or display the genuine labels, trade-marks or advertisements of the respective associations or unions, not being authorized by such associations or unions to use or display the same, in any court having jurisdiction thereof.

CHAPTER 10.—*Seats for female employés.*

SECTION 1. It shall be the duty of all employers of females in any mercantile, manufacturing, hotel or restaurant, business or occupation, and of every agent in charge of any such business or occupation, to provide and maintain in the room or place where such females are being employed, suitable seats for the use of such female employés, and to permit the use of such seats by such employés to such an extent as may be necessary for the preservation of their health.

SECTION 2. The certificate or testimony of any regularly licensed and practicing physician to the effect that in his opinion any person or corporation in this state, or any agent of such person or corporation is not complying with the provisions of section 1 of this act in respect to any specified employé or employés, shall be *prima facie* evidence of the violation by such person, corporation, or agent of the provisions of this act, and it shall be the duty of the state labor commissioner whenever he is informed of the violation of any of the provisions of this act, to cause the matter to be at once brought to the attention of the proper authorities and to assist in furnishing evidence of such violation; but nothing herein contained shall be construed to prevent any other person from making such complaint and furnishing such evidence, nor to interfere with the discharge of their lawful duty by all state and county officers.

SECTION 3. Every person who shall violate any of the provisions of this act, shall, for each and every day of such violation, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than ten dollars nor more than twenty-five dollars, or by imprisonment for not less than ten days nor more than thirty days, or both, in the discretion of the court.

CHAPTER 204.—*Exemption from garnishment, etc.—Wages.*

SECTION 1. The wages of any person or of the minor children of any person in any sum not exceeding twenty-five dollars due for any services rendered by any such person or the minor children of any such person for any other person during thirty days preceding the issue of any process of attachment, garnishment or execution in any action against any such person or persons shall be exempt from such process.

CHAPTER 253.—*Inspection of steam boilers and examination of engineers.*

SECTION 1. Within sixty (60) days after the passage of this act, and biennially thereafter, there shall be appointed by the governor a board of five (5) inspectors, one of whom shall reside in each Congressional district, whose duty it shall be to inspect all steam boilers in use within the state, not subject to inspection under the laws of the United States, and not hereinafter excepted, and to examine and grant certificates of license to steam engineers entrusted with the care and management of steam boilers. Said inspectors shall examine and license all masters and pilots on inland waters of the state, and such examination shall be conducted, as near as may be, pursuant to the rules and regulations provided by the laws of the United States for the examination of masters and pilots. Said inspectors shall hold their respective offices for two years from the first day of February, A. D. one thousand eight hundred and eighty-nine (1889), and until their successors are appointed and qualified, unless sooner removed by the governor. Said inspectors shall annually on or before the thirty-first (31st) day of January, render a report to the secretary of state, and to the legislature, showing a detailed statement of the number of inspections made, licenses issued, and the amount of fees received therefor, also showing the amount of disbursements of their offices.

SECTION 2. No person shall be eligible to hold the office of inspector of boilers who has not had at least ten (10) years of actual experience in operating steam engines and steam boilers, or who is directly or indirectly interested in the manufacture or sale of boilers or steam machinery, or any patented article that is required to be used, or that is in general use in the construction of steam engines or boilers, or who is not of good moral character, and suitably qualified by experience in the construction of steam boilers so as to enable him to perform the duties of the office; and no person shall enter upon or perform any of the duties of inspector who has not taken and subscribed an oath, and filed the same with the secretary of state, that he will faithfully and impartially perform the duties of his office.

SECTION 3. Said inspectors, in April next after the passage of this act, and in February each year thereafter, shall meet as a board, at the capitol in St. Paul and establish such rules and regulations for the inspection of steam vessels and steam boilers, and their other duties, as herein provided for, as shall be required by the terms of this chapter. They shall also prescribe rules and regulations for the inspection of the hulls, machinery, boilers, steam connections, fire apparatus, life-saving appliances and equipments of all the steamers propelled in whole or in part by steam, and navigating the inland waters of the state; such rules to conform, as near as may be, to the requirements of the laws of the United States in regard to the inspection of hulls, machinery, boilers, steam connections, fire apparatus, life-saving appliances and equipments of steam vessels, and such rules and regulations, when approved by the governor, shall have the force of law: * * * *Provided further*, Any master, owner or person not complying with this section and the rules and regulations as prescribed by the inspectors, shall be deemed guilty of misdemeanor, and fined not less than fifty (50) dollars nor more than one hundred (100) dollars, or imprisonment in the county jail not to exceed thirty (30) days, or both, at the discretion of the court.

SECTION 4. Every owner, lessee or other person having charge of steam boilers, or any boat propelled in whole or in part by steam, not subject to inspection under the laws of the United States, shall cause the same to be inspected at least once each year by the inspectors herein provided for, and every such

owner, lessee or person having charge of such boilers or steam vessels who shall raise steam and operate such boilers and machinery without such inspection shall be deemed guilty of a misdemeanor and fined not less than fifty (50) dollars nor more than one hundred (100) dollars, or may be imprisoned in the county jail not to exceed thirty (30) days, or both at the discretion of the court.

SECTION 5. The inspector or inspectors shall once each year at least, upon application in writing by the owner, lessee or manager, carefully inspect the hull, boiler, machinery and equipments of all steam vessels and all steam boilers liable to inspection under this act, and shall satisfy themselves that every such vessel is of a structure suitable for the service in which she is to be employed, and has suitable accommodations for passengers and the crew, and is in condition to warrant the belief that she may be used in navigating as a steamer with safety to life, and that such equipments as life preservers, floats, pumps, hose, anchors and other things necessary to insure safety have been provided. When the inspection of a steam vessel is completed and the inspector or inspectors approve the vessel and her equipment throughout, he or they shall make and subscribe a sworn and verified certificate to the secretary of state in such form as the board of inspectors shall prescribe, and a copy of said certificate shall be furnished by the inspector to the managing owner or master of said steam vessel, who shall post the same in a conspicuous place on said boat. The original certificate shall be kept on file in the office of the secretary of state. The said inspector shall also examine all masters and pilots of steam vessels on inland waters of the State as to their qualifications and fitness, and if found competent and reliable enough to perform the duties of master or pilot, the inspector shall issue them a certificate authorizing them to act as such on such inland waters of the State as designated by their certificate. The inspector shall also make such rules and regulations for the navigation of steam vessels as will permit such navigation without danger to life or property. The inspectors shall revoke the license of any master, pilot or engineer if found under the influence of intoxicating liquor when on duty or who otherwise disregards the rules and regulations as prescribed by the inspectors. The said inspectors shall be authorized to collect a fee of ten (10) dollars for inspection of all vessels of fifty (50) tons burden and over, and five (5) dollars for all of a less tonnage, and a fee of one (1) dollar for the examination of and issuing a master's or pilot's license and one (1) dollar for the biennial renewal of the same. Every lessee, pilot or owner not complying with this section shall be deemed guilty of a misdemeanor and fined not less than one hundred (100) dollars nor more than two hundred (200) dollars, or may be imprisoned in the county jail not to exceed sixty (60) days, or both at the discretion of the court.

SECTION 6. The said inspectors shall in addition to their duties as inspectors of steam vessels, inspect all steam boilers and steam generators before the same shall be used, and all steam boilers at least once every year thereafter. They shall subject all boilers to hydrostatic pressure or hammer test and shall satisfy themselves by a thorough internal and external examination that the boilers are well made and of good and suitable material, that the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat are of proper dimensions and free from obstructions; that the flues are circular in form: that the arrangements for delivering the feed water is such that the boilers can not be injured thereby, and that such boilers and their steam connections may be safely used without danger to life or property: *Provided, further*, They shall also satisfy themselves that the safety valves are of suitable dimensions, sufficient in number and properly arranged, and that the safety-valve weights are properly adjusted so as to allow no greater pressure in the boilers than the amount prescribed by the inspector's certificate; that there is a sufficient number of gauge cocks properly inserted to indicate the amount of water, and suitable gauges that will correctly record the pressure of steam; and that the fusable metals are properly inserted so as to fuse by the heat of the furnace whenever the water in the boilers falls below its prescribed limits, and that adequate and certain provisions for an ample supply of water to feed the boilers at all times, so that in high-pressure boilers the water shall not be less than three (3) inches above the top of the fire surface, and that means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers when they are under pressure of steam. In subjecting to the hydrostatic test boilers usually designated as high pressure, the inspector shall assume one hundred and twenty-five (125) pounds to the square inch as the maximum pressure allowable, as a working pressure for new boilers forty-two (42) inches in diameter, double riveted, made in the best manner, of plates one-fourth

(¼) of an inch thick, and of good material; but the inspector shall rate the working power of all high-pressure boilers according to their strength compared with this standard, and in all cases the test applied shall exceed the working power allowed, in the ratio of one hundred and sixty-five (165) to one hundred and ten (110). In subjecting to hydrostatic tests boilers usually designated as low pressure, the inspectors shall allow as a working power for each new boiler, a pressure of only three-fourths (¾) the number of pounds to which it has been subjected by the hydrostatic test. Should the inspector be of the opinion that any boiler by reason of its construction or material will not safely allow so high a working pressure as herein provided, they may for reasons to be specially stated in their certificate, fix the pressure of such boilers at less than three-fourths (¾) of the test pressure. No boiler or steam pipe nor any of the connections therewith shall be approved which are made in whole or in part of bad material or cast iron, or are unsafe from any cause. Nothing herein shall be construed to prevent the use of any boiler or steam generator which may not be constructed of riveted iron or steel plates, when the board of inspectors have satisfactory evidence and are satisfied that such boilers or steam generator is equal in strength and as safe from explosion as boilers of the best quality constructed of riveted steel or iron plates.

SECTION 7. Every person who constructs a boiler or steam pipe of iron or steel plates known to be faulty or imperfect, or drifts any rivet hole to make it come fair, or who delivers any such boiler for use knowing it to be imperfect in its flues, flanging, riveting, bracing, or in any other of its parts, shall be fined two hundred (200) dollars, one-half of which shall be paid to the informer.

SECTION 8. In addition to the annual inspection it shall be the duty of the inspectors to examine at proper times, when in their opinion such examination shall become necessary, all such boilers as shall become unsafe from any cause and to notify the owners or persons using such boilers of any defect and what repairs are necessary in order to render them safe, and it shall be the duty of any person operating such boiler to cease to use the same until such repairs are made, and in case of a failure to comply with the requirements of said inspector, the person operating any such boiler shall, on conviction thereof, be fined not to exceed one hundred (100) dollars and liable to damage to persons and property resulting therefrom.

SECTION 9. Every steam boiler shall be provided with a fusible plug, made of good banca tin inserted in the flues, crown sheet or other parts of the boiler most exposed to the heat of the furnace when the water falls below the prescribed limits.

SECTION 10. It shall be the duty of owners or managers of steam boilers mentioned in this act to allow said inspectors free access to the same, and it is hereby made the duty of engineers operating the same to assist the inspectors in their examinations and to point out any defect they may know in the boiler or machinery in their charge. Any person not complying with the foregoing provisions of this section shall be punished by a fine of ten (10) dollars and costs. No person shall be entrusted with the operating of any steam boiler or steam machinery who has not been examined by an inspector and found competent and fit to perform the duties of an engineer and received from such inspector a written or printed license so to act, which shall be renewed biennially. Any person who shall operate any steam boiler or steam machinery of any kind without first obtaining a license from an inspector shall be deemed guilty of a misdemeanor and fined not less than twenty-five (25) dollars nor more than fifty (50) dollars. *Provided, further:* Engineers shall be divided into four classes, namely; Chief engineers, first-class engineers, second-class engineers, special engineers.

First. No license shall be granted to any person under twenty-one (21) years of age except to special engineers. No license shall be granted to any person to perform the duties of chief engineer who has not taken and subscribed an oath that he has had at least five (5) years' actual experience in operating steam boilers and steam machinery, or whose knowledge and experience and habits of life are not such to justify the belief that he is competent to take charge of all classes of steam boilers and steam-machinery.

Second. No license shall be granted to any person to act as first class engineer who has not taken and subscribed an oath that he has had at least three (3) years' actual experience in operating steam boilers and steam machinery, and whose experience and habits of life are not such as to warrant the belief that he is competent to take charge of all classes of steam boilers and steam machinery not exceeding three hundred (300) horse power.

Third. No license shall be granted to any person to act as second class engineer who has not taken and subscribed an oath that he has had at least one (1)

year of actual experience in operating steam boilers and steam machinery, or whose experience and habits of life are not such as to warrant the belief that he is competent to take charge of all classes of steam boilers and steam machinery not to exceed one hundred (100) horse power.

Fourth. No license shall be granted to any person to act as special engineer unless found upon examination to be sufficiently acquainted with the duties of an engineer to warrant the belief that he can be safely entrusted with steam boilers and steam machinery not to exceed thirty (30) horse power. Whenever complaint is made by any person against any engineer holding a license, that he has through negligence, want of skill, inattention to duty, or violation of any part of this act, permitted his boiler to burn or otherwise become in bad condition, it shall be the duty of the inspector who granted the license, upon satisfactory proof of such negligence or otherwise, to revoke the license of such engineer. Said engineer may, however, in case of a grievance against said inspector and person making such complaint, appeal to the entire board and governor of the state, who shall decide the case, which decision shall be final and conclusive.

SECTION 11. In making the inspection of boilers, machinery or steam vessels herein provided for, the inspectors may act jointly or separately, but the inspector or inspectors making such inspection shall in all cases subscribe an oath to the certificate of inspection. And any inspector who shall wilfully certify falsely regarding any steam boilers or their attachments or the hull and equipments of any steam vessels, or who shall grant a certificate of license to any person to act as engineer, master or pilot contrary to the provisions of this act, shall on conviction thereof be fined not less than fifty (50) dollars nor to exceed five hundred (500) dollars, or may be imprisoned not to exceed one (1) year in the state prison or both at the discretion of the court, and in all cases removed from office. All the fines of this act not otherwise disposed of shall accrue to the state.

SECTION 12. When the inspector or inspectors shall find after proper tests and examination of a steam boiler or steam generator, as herein provided, that the same is safe and suitable for use, such inspector or inspectors shall make and subscribe a sworn and verified certificate to the secretary of state, in such form as the board of inspectors shall prescribe, and which among other things shall contain a specification of the test applied and the working power allowed, and a copy of the said certificate shall be furnished by the inspector to the owner of the boiler or steam generator. Such copy so furnished the owner of such boiler or generator shall be by him placed or posted in a conspicuous position on such boiler or generator, and shall so remain. * * *

SECTION 14. This act shall not apply to railroad locomotives nor shall engineers employed by railroad companies be required to procure licenses from the state board of inspectors. Nor shall it apply to boilers inspected by insurance companies and certified by their authorized inspectors to be safe. *Provided, further*, That the penalties provided for in this act shall not apply in any case where prior to the time the inspector or inspectors, have after the application has been made provided for in this act, notified the persons affected that they are ready to make the inspection as herein provided for.

SECTION 16. The board of boiler inspectors may appoint one (1) or more deputies in the several counties of this state, which deputies shall have the same qualifications as are herein prescribed for boiler inspectors, and shall qualify by taking the oath prescribed by section two (2) of this act, and such deputies shall have the authority within the county for which they are appointed as the chief boiler inspectors under the provisions of this act.

CHAPTER 255.—*Convict labor.*

SECTION 1. It shall be the duty of the court in which any person shall be convicted of any offense punishable in the state prison, before passing the sentence, to ascertain by the examination of such convict on oath, and in addition to such oath, by such other evidence as can be obtained, the business, if any, in which such convict had been engaged prior to such arrest and conviction; whether such convict had learned and practiced any mechanical trade, and if so, the nature of such trade and length of time the same has been followed, and the clerk of the court shall enter the facts as ascertained and decided by the court on the minutes thereof, and shall deliver a certificate fully stating the facts so ascertained, to the sheriff of the county, who shall cause the same to be delivered to the

warden of the state prison at the same time that such convict is committed to the care of said warden, pursuant to his sentence.

SECTION 2. Every person convicted of crime and committed to the state prison shall be regularly employed at and be compelled to perform a reasonable amount of hard labor in some industrial employment; and no person so committed as aforesaid, shall be exempt from such labor and employment, unless on account of incapacitating sickness or other disability rendering it impossible that such labor be performed.

SECTION 4. Subject to the qualifications and regulations in this chapter specified, the manager shall be empowered and required to provide for the employment of such convicts in one or more of three different systems of employment. One usually known as and to be designated the "State Account System," another usually known as and to be designated the "Contract System," and a third usually known as and to be designated the "Piece Price System": *Providing*, That said convicts shall be employed as much as practicable under the State Account System.

SECTION 5. In providing for and regulating the labor of the convicts under these systems of employments, the warden shall, in classifying and apportioning the prisoners to the work, in all cases have in view, as well the education and reformation of the individual convict as the pecuniary welfare of the state, and shall, under such rules and regulations as shall have been prescribed by the board of managers, have authority to change any convict from one class of employment to another, as may seem proper and expedient.

SECTION 7. The managers may, if in their judgment they deem it proper and expedient, let to service under the Piece Price or Contract system, or both, not to exceed one-half of all able-bodied convicts confined in the prison at the date of such contract or contracts to the lessee or lessees of the prison shops, or to any person or corporation, * * * not to exceed the term of two years. Such convicts shall not be leased to any contractor or lessee for less than the sum of 45 cents per day for actual work: *Provided*, That such lease shall not be a lease of individual convicts for any specified time, so as to preclude the withdrawal of any convict and the substitution in his place of another, when deemed for the best interests of the convict, under such rules and regulations as shall have been established by the board of managers, or otherwise provided by law.

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SECTION 10. In every contract made pursuant to the authority herein conferred, there shall be reserved to the warden, under such rules and regulations as shall have been established by the board of managers, full power and authority to prevent the demanding or imposition of unusual or severe labor whereby the health and welfare of the convicts may be impaired, or their reformation and education may be hindered or retarded; and the said warden may from time to time, subject to the approval of the board, prescribe all needful rules for the government and conduct of all contractors, their overseers and agents, in relation to the convict, and may require summary dismissal of any individual employed by any contractor in said prison, whenever it shall appear that the presence or the conduct of such individual is prejudicial to the discipline of the prison or the welfare of the convicts.

SECTION 13. All of the able-bodied convicts in the state prison may [be] employed in industrial labor on state account, in such manner, and in such trades, occupations or industries as to the said board shall be deemed for the best interest of the convicts and the state. The board, in its discretion, may provide for one trade or industry, or may establish a number of trades or industries, and the warden is authorized and empowered, by and with the advice and approval of the board, to purchase all needed tools and machinery for conducting such trade or trades, industry or industries, as the board may see fit to establish. He shall, with like approval, also be vested with power and authority to purchase in the market all supplies and material needed in the manufacture of any article or articles in which manufacture the board may decide to engage the convicts or any portion thereof, and shall also have authority to sell and dispose of, to the best advantage of the state, all articles of manufacture produced by the labor of convicts under such system. *Provided, however*, That the board shall first employ as many of the convicts as may be found practicable in the manufacture of articles which the state would otherwise necessarily purchase for the state prison and other state institutions.

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MISSISSIPPI.

REVISED CODE OF 1880.

CHAPTER 10.—*Exemption from taxation.*

SECTION 468. The following property, and no other, shall be exempt from taxation, to wit: * * * wearing apparel, not including jewelry or watches; provisions on hand necessary for family consumption; all farming produce, raised in this state, in the hands of the producer; all dogs, except where the board of supervisors shall impose a tax thereon for county purposes; one gun, kept for private use; all poultry; household furniture, not to exceed in value two hundred and fifty dollars; two cows and calves; ten head of hogs; ten head of sheep or goats; colts foaled in this state under three years old; farming utensils used for agricultural purposes; all property of agricultural and mechanical associations and fairs, used for promoting their objects; the tools of any mechanic, necessary for carrying on his trade; the libraries of all persons; pictures and works of art not kept or offered for sale as merchandise.

CHAPTER 45.—*Exemption from execution, etc.*

SECTION 1244, (as amended by chapter 69, acts of 1884). The following property shall be exempt from seizure, under execution or attachment, to wit:

First. The tools of a mechanic, necessary for carrying on his trade.

Second. The agricultural implements of a farmer, necessary for two male laborers.

Third. The implements of a laborer, necessary in his usual employment.

Fourth. The books of a student, required for the completion of his education.

Fifth. The wearing apparel of every person.

Sixth. The libraries of licensed attorneys at law, practicing physicians, and ministers of the gospel, not exceeding two hundred and fifty dollars in value; also the instruments of surgeons and dentists, used in their profession, not exceeding two hundred and fifty dollars in value.

* * * * * * *

Eighth. All globes, books and maps, used by the teachers of schools, academies and colleges. Also, the following property of each head of a family, to wit: Two work horses, or mules, or one yoke of oxen, two cows and calves, five head of stock hogs, and five sheep, one hundred and fifty bushels of corn, ten bushels of wheat or rice, two hundred pounds of pork or bacon, or other meat, one cart or wagon, not to exceed one hundred dollars in value, three hundred bundles of fodder, one sewing machine, and all colts under three years old, raised in this state by the debtor; also fifty bushels of cotton seed, forty gallons of sorghum or molasses, one thousand stalks of Louisiana cane, and one bridle and saddle, and the wages of every laborer, or mechanic to the amount of one hundred dollars, shall be exempt from garnishment or other legal process.

(Added by chapter 49, acts of 1890.) There shall also be exempt from garnishment or seizure under execution or attachment the following, to wit: The proceeds of a policy, or policies, of insurance issued on property as exempt by law, and the proceeds of the sale of exempt property.

SECTION 1248, (as amended by chapter 116, acts of 1882). Every citizen of this state, male or female, being a householder and having a family, shall be entitled to hold exempt from seizure or sale under execution or attachment, the land and buildings owned and occupied as a resident by such debtor: *Provided*, The quantity of land shall not exceed one hundred and sixty acres, nor the value thereof, inclusive of improvements, the sum of two thousand dollars.

SECTION 1249. Every person, being a householder, and having a family, residing in any city, town or village, shall be entitled to hold, exempt from seizure or sale, under any execution or attachment, the land and buildings owned and occupied as a residence, by such debtor, not to exceed in value two thousand dollars, and personal property, to be selected by him, not to exceed in value two hundred and fifty dollars, or the articles specified in the first section of this act.

SECTION 1255, (as amended by chapter 83, acts of 1882). No property shall be exempt from execution, when the purchase money thereof forms, in whole or in part, the debt on which the judgment is founded; nor shall any property be exempt from sale for non-payment of taxes or assessments, or for any labor done thereon,

or materials furnished therefor, or when the judgment is for labor performed, or upon a forfeited recognizance or bail bond.

SECTION 1256. Whenever the debtor shall cease to reside on his homestead, it shall be liable to his debts, unless his removal be temporary, by reason of some casualty or necessity, and with the purpose of speedily reoccupying it as soon as the cause of his absence can be removed.

SECTION 1257. The exempt property, real and personal, may be disposed of, as any other property may be, by the owner, and shall not, by such disposal, become liable to the debts of such owner: and any debtor, leaving this state, may take the personal property he has, which is exempt from execution.

SECTION 1261. The amount of any life insurance policy, not exceeding ten thousand dollars, upon any one life, shall enure to the party or parties named as the beneficiaries thereof, freed from all liability for the debts of the person paying the premium thereon.

CHAPTER 77.—*Sunday labor.*

SECTION 2949. If any person on a Sabbath day, commonly called Sunday, shall himself be found laboring at his own, or any other trade, calling or business, or shall employ his apprentice, or servant, in labor or other business, except it be in the ordinary household offices of daily necessity, or other work of necessity or charity, he shall, on conviction, be fined, not more than twenty dollars, for every offense, deeming every apprentice or servant, so employed, as constituting a distinct offense: *Provided*, That nothing in this section shall apply to railroads, or steamboat navigation in this state.

SECTION 2950. No merchant, shopkeeper, or other person, except apothecaries and druggists, shall keep open store, or dispose of any wares or merchandise, goods or chattels, on Sunday, or sell or barter the same; and every person, so offending, shall, on conviction, be fined not more than twenty dollars, for every such offence.

CHAPTER 79.—*Convict labor.*

SECTION 3152. The board of supervisors of each county shall advertise * * *, for proposals for the custody and services of prisoners committed to the jails of their respective counties, and at the time fixed for the purpose, shall make a contract with such person as will undertake the duties arising from such contract, on the terms most favorable to the county, unless the terms proposed by all shall, in the opinion of such board, be so onerous as to induce a rejection of all proposals, in which case, all may be rejected and no contract shall be made; or said board may at any time afterwards, make a contract, as aforesaid, with any one who may apply for it and offer terms more favorable to the county than any proposed in response to the public advertisement, and which are satisfactory to such board.

SECTION 3155. Such contractor shall have the right to require said prisoners to labor on a farm, or at any manual labor, and may adapt such appliances and safeguards against escape by such prisoners as are lawful and customary in securing prisoners in penitentiaries, jails or work houses, from escape.

SECTION 3174. When a board of supervisors shall not make any contract for the keeping of prisoners, as provided for above, it shall be lawful for such board to direct the sheriff of the county to hire out any prisoner in jail, and liable under this act to be delivered against his consent to a contractor for the custody of prisoners, to any person who will pay the fine and costs, including jail fees due from such prisoner, and upon the payment by such person as aforesaid, to the sheriff, he shall deliver such prisoner to such person, who shall be entitled to all the rights, and be subject to all the liabilities above prescribed for a contractor with the county for the keeping of prisoners; and any prisoner thus delivered to such person, shall be subject to the provisions for prisoners delivered to a contractor for the prisoners in a county, and shall have all the rights of such prisoners, to be provided and cared for, and to be allowed daily wages for the time he shall be in the keeping of the person who hires him, until his wages, computed at the rate allowed, shall amount to the sum paid by the person hiring him for such prisoner, who shall then be entitled to his discharge; and any longer detention of him shall be a misdemeanor punishable as such.

SECTION 3177. If a board of supervisors shall not contract, as above provided, for the keeping of prisoners in the county, and shall not hire out the prisoners, as provided in the absence of such contract, such board may employ all prisoners, subject under this act to be delivered to a contractor, at work on public roads or

bridges, or other public work, as may be directed by such board, from time to time; and such board may employ guards, prescribe proper discipline, and do all things necessary to effect the purposes of this provision: and any expense incurred therein shall be provided for by such board, and paid out of the county treasury.

ACTS OF 1880.

CHAPTER 40.—*Convict labor.*

SECTION 1. The governor and six citizens of the state, to be appointed by the governor, with the advice and consent of the senate, one of said citizens to be selected from each of the six congressional districts, shall constitute a board of public works, who shall lease the Mississippi penitentiary, together with all convicts serving out their terms at the expiration of the present lease, and such as may, during the term of the lease, made as herein provided, be sentenced to the penitentiary, and all penitentiary property belonging to the state, for the term of six years from the expiration of the present lease: * * * *Provided*, That said board may reject all the bids received, and contract with any responsible person, or persons, to lease the Mississippi penitentiary, together with all convicts serving out their terms of sentence at the expiration of the present lease, and such as may, during the term of such new lease, be sentenced to the penitentiary, and all penitentiary property belonging to the state, for the term of six years from the expiration of the present lease, upon similar terms, conditions and stipulations, as now provided by law and by this act, excepting that the said lessee or lessees shall pay the same hire to the state for all convicts, except such invalids and cripples as are worthless, said board to determine what cripples and invalids are worthless.

SECTION 3. Said lessees shall, within two (2) years after the passage of this act, erect and put in the brick building now being built, all necessary machinery for the manufacture of wagons, carts and wheelbarrows, with all necessary engines, lathes, borers, mortices, bending machines, sand-belts, band and circular saws for a complete wagon factory, and thereafter it shall not be lawful for any convicts whose terms of sentence exceed ten (10) years to work outside the prison walls unless it be in the prison garden or farm, or work necessary to improving the prison property or carry on the prison; they may also erect machinery for cotton and woollen mills and for agricultural implements: *Provided*, That after the passage of this act, no convicts shall be employed in the manufacture of such articles for sale at retail as are manufactured by the local mechanics, or shall work at any mechanical pursuits outside the prison walls except upon the construction of works of internal improvement; * * *.

SECTION 4. The board of public works shall have power to direct the employment of all convicts that are to be worked outside the walls of the prison, upon such public works as may appear for the best interest of the state; and said lessees may take contracts for the construction of such works of internal improvement; * * * and all convicts sentenced for ten (10) years or less shall be put upon public works, if employment can be found; and only in event such employment can not be found shall they be put at private work or employment; *Provided*, Such requisition for labor shall be made by the first of December of each year; *Provided*, That said lessees shall not demand more than fifty ($50.00) dollars, and necessary expenses, per man, per annum, for convicts employed upon works or internal improvement; and the board of public works shall accord to the different sections of the State for works of internal improvement, their pro rata of convict labor; *Provided*, Demand is made therefor, as required aforesaid.

SECTION 5. The term of "public works," wherever it occurs in this act, shall be construed to mean railroads, levees, canals, the opening of navigable streams and enterprises of like character now in process of construction or that may be hereafter commenced.

ACTS OF 1886.

CHAPTER 25.—*Convict labor.*

SECTION 8. The * * * board [of control of the state penitentiary] is hereby authorized and required to lease and transfer the penitentiary and all its convicts to the Gulf and Ship Island Railroad Company upon the following terms, to wit: The said company to take charge of the penitentiary and all convicts on and

after the first of January, 1887, and shall maintain and carry on the penitentiary and all convicts until the first of February, 1892; that said company shall * * * keep at least one-half of all the able-bodied convicts at work on the construction of the railroad, and shall not hire or sub-let any of the convicts, able-bodied or otherwise, on farms or plantations of the owners, promoters, officers, agents, employés of the Gulf and Ship Island Railroad Company, or any person whosoever; nor shall the Gulf and Ship Island Railroad Company work said convicts, or allow them to be worked, on farms under any circumstances, but said company may hire the convicts not worked by them to other railroad companies, levee commissioners, or upon other public works, or works of internal improvements; * * *.

SECTION 10. The said board of control [in case of forfeiture of the above railroad company and making a new lease] shall give the preference to such lessees as will undertake and agree to work and employ the convicts, or the largest part thereof, on works of public improvement, such as railroads, levees, public roads and works of like character, and as the last resort, if no disposition can be made of them, may hire or lease them to be worked on plantations or farms, exercising the greatest precaution in taking proper security against bad or inhuman treatment, and for the payment of the hire of such convicts, if they deem it best for the state to hire them on time, and require the superintendent of the penitentiary to make it his special duty to look after the strict observance of the contract and the treatment of such convicts.

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ACTS OF 1890.

CHAPTER 56.—*Enticing employés.*

SECTION 1. If any one shall wilfully interfere with, entice away, knowingly employ, or induce a laborer or renter who has contracted with another for a specified time, to leave his employer or the leased premises, before the expiration of his or her contract, without the consent of the employer, he shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than $25 nor more than $100; in addition to such fine he shall be liable to the employer or landlord in double the amount of damages which he or she may sustain by reason of such breach of contract.

CHAPTER 80.—*Convict labor.*

SECTION 1. Hereafter persons convicted and sentenced to pay a fine or be imprisoned in the county jail, or both, and who shall fail to pay all fines and costs, shall be hired out in the county where convicted as herein provided.

SECTION 2. If the prisoner so convicted and sentenced shall be a tenant or employé of another, the landlord or employer shall have the option of paying such fine and costs, and of hiring such prisoner, and if such landlord or employer fails or refuses to hire such prisoner or prisoners, then the sheriff or other officer having a prisoner or prisoners in charge may hire them to any other responsible person; but no prisoner shall be hired to a person residing out of the county in which he was convicted, or worked outside such county without the consent of such prisoner.

SECTION 3. Prisoners shall receive credit at the end of each month for the amount of fines and costs for which they were hired at such rate per month as may have been agreed upon by the officer, the prisoner and the contractor; but if the consent of the prisoner is not given to such contract as the others are able to make, then the officer shall hire such prisoner on the most favorable terms to the prisoner that can be procured. Contracts may be made within the following limits: For prisoners under 16 years of age, from $2 to $5 per month; males over 16 years of age from $3 to $10 per month; females over 16 years of age, from $3 to $5 per month; but these limitations shall not be construed to prevent contracts more favorable to prisoners when such contracts can be made. * * *

SECTION 5. The board of supervisors shall have power under this act to work 30 prisoners on the public roads or other public works if they so elect, provided such prisoners are allowed by the board all the advantages of rates fixed by this act.

SECTION 6. This act shall only apply to the following counties, namely: Chickasaw, Oktibbeha, Lauderdale, Kemper, Lincoln, Pike, Jones, Monroe, Tunica, Tate, Clay, Pontotoc, Lowndes, Jasper, Clarke, Jackson, Hancock and Calhoun.

MISSOURI.

REVISED STATUTES OF 1889.

CHAPTER 1. ARTICLE 9.—*Wages preferred—In administration.*

SECTION 183. All demands against the estate of any deceased person shall be divided into the following classes:

I. Funeral expenses.

II. Expenses of the last sickness, *wages of servants* and demands for medicine and medical attendance during the last sickness of the deceased.

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SECTION 209. All demands against any estate shall be paid by the executor or administrator, as far as he has assets, in the order in which they are classed; and no demand of one class shall be paid until all previous classes be satisfied; and if there be not sufficient to pay the whole of any one class, such demands shall be paid in proportion to their amounts. * * *

CHAPTER 10, ARTICLE 1.—*Exemption from attachment.*

SECTION 539. * * * no property or wages declared by statute to be exempt from execution shall be attached, except in the case of a non-resident defendant, or of a defendant who is about to move out of the state with intent to change his domicile.

CHAPTER 42, ARTICLE 1.—*Payment of wages.*

SECTION 2538. All corporations shall make payment to their employés and other operatives, of wages due for all labor and services performed by them, within three months next preceding a demand made therefor, not exceeding sixty dollars, in preference to any other claim, debts or demands whatsoever not secured by specific liens on property; and such priority of payment may be enforced by civil action; payment of wages shall be made on or before the fifteenth day of each month for the full amount of all wages earned previous to the first day of that month, with interest at six per centum; if not paid, to be added to the amount of said wages when paid or recovered by suit. All debts due employés or operatives for wages of their labor shall have priority of payment from the money and assets of the corporations in the hands of officers or agents, or any receiver or assignee, over every other claim not specifically secured. Every corporation, officer, agent, receiver, assignee or person, holding money or assets, refusing to recognize the priority of employés' claims, shall be liable to such employés for the amount of all loss and damages occasioned by his unlawfully withholding the money.

CHAPTER 42, ARTICLE 1.—*Corporations—Notice of reduction of wages required.*

SECTION 2539. Any railway, mining, express, telegraph, manufacturing or other company or corporation doing business in this state, and desiring to reduce the wages of its employés or any of them, shall give to the employés to be affected thereby thirty days' notice thereof.

SECTION 2540. Such notice may be given by posting a written or printed handbill, specifying the class of employés whose wages are to be reduced and the amount of the reduction, in a conspicuous place in or about the shops, station, office, depot or other place where said employés may be at work, or by mailing each employé a copy of said notice or handbill, and such company or corporation violating any of the provisions of the preceding section shall forfeit and pay each party affected thereby the sum of fifty dollars, to be recovered by civil action in the name of the injured party, with costs, before any court of competent jurisdiction.

CHAPTER 42, ARTICLE 2.—*Liability of railroad companies for wages of employés of contractors.*

SECTION 2565. Whenever any contractor for the construction of any part of a railroad which is in process of construction, or any contractor for the repairing of any part of a railroad, shall be indebted to any sub-contractor or laborer, or

other person, who shall do or perform any work or labor upon or furnish any materials for said road, such sub-contractor or laborer, or other person, may give notice of such indebtedness to said company in the manner hereinafter provided; and said company shall thereupon become liable to pay such sub-contractor or laborer, or other person, the amount so due, and action may be maintained against said railroad therefor: such notice shall be given by said sub-contractor, laborer or other person, within twenty days after the performance of the labor or work, or the delivery of the materials, for which the claim is made; such notice shall be in writing, and shall state the amount and number of days labor or work, and the amount, description and quantity of materials furnished and the time when the said labor or work was performed, and the time when the said materials were furnished, for which the claim is made, and the name of the contractor from whom due, and shall be signed by such sub-contractor, laborer or other person, or their attorney, and shall be served on an engineer, agent or other person employed by said company having charge of the section of the road on which said labor or work was performed, or such material furnished, personally, or by leaving said notice in the office or usual place of business of such engineer, agent or person having charge, with some person over fifteen years of age; but no action shall be maintained against any company under the provisions of this section, unless the same be commenced within ninety days after notice is given to the company by such sub-contractor or laborer, as above provided.

CHAPTER 47, ARTICLE 2.—*Seats for female employés.*

SECTION 3500. It shall be the duty of all employers of females in any mercantile business or occupation to provide and maintain suitable seats for the use of such female employés, at or beside the counter or work-bench where employed, and to permit the use of such seats by employés to such an extent as may be reasonable for the preservation of their health; and any violation of this section by any employer shall be deemed a misdemeanor, and, on being convicted, he shall be punished by a fine not exceeding twenty-five dollars.

CHAPTER 47, ARTICLE 3.—*Unlawful acts of employment agents.*

SECTION 3583. Every person who shall agree or promise, or who shall advertise through the public press, or by letter, to furnish employment or situations to any person or persons, and in pursuance of such advertisement, agreement or promise, shall receive any money, personal property or other valuable thing whatsoever, and who shall fail to procure for such person or persons acceptable situations or employment within the time stated, or if no time be specified, then within a reasonable time thereafter, and who shall fail or refuse to return the money, personal property or other valuable thing so obtained, when the same shall have been demanded by such person or persons, shall be guilty of a misdemeanor.

CHAPTER 47, ARTICLE 7.—*Importation of men for police duty prohibited.*

SECTION 3772. It shall be unlawful for any person or persons, company, association or corporation to bring or import into this state any person or persons, or association of persons, for the purpose of discharging the duties devolving upon the police officers, sheriffs or constables in the protection or preservation of public or private property.

SECTION 3773. Hereafter no sheriff in this state shall appoint any under sheriff or deputy sheriff except the person so appointed shall be, at the time of his appointment, a *bona fide* resident of the state.

SECTION 3774. The mayor, chief of police and members of the board of police commissioners of any city in this state shall be governed by the same restrictions and subject to the same penalties as a sheriff of any county, under the provisions of this article.

SECTION 3775. Any person or persons violating any of the provisions of section 3772 of this article shall be punished by imprisonment in the penitentiary for not less than two years nor more than five years; and if any company, association or corporation shall be guilty of violating this article, said company, association or corporation shall be punished by a fine of not less than one thousand dollars.

SECTION 3776. Any sheriff of any county, or mayor, chief of police or member of the board of police commissioners of any city, now holding office or hereafter elected to any such office, who shall knowingly violate any of the provisions of this article, as set forth in sections 3773 and 3774, shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

CHAPTER 47, ARTICLE 7.—*Intimidation of employés.*

SECTION 3783. Every person who shall, by force, menace or threats of violence to the person or property of another, compel or attempt to compel any person to abandon any lawful occupation or employment for any length of time, or prevent or attempt to prevent any person from accepting or entering upon any lawful employment, shall, upon conviction, be punished by imprisonment in the county jail not less than six months, or by a fine of not less than one hundred dollars, or by both such fine and imprisonment. Every person who shall, by threats of violence to the person or property of another, compel or attempt to compel any person to abandon any lawful occupation or employment for any length of time, or prevent any person from accepting or entering upon any lawful employment, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine not less than fifty dollars, or imprisonment in the county jail not less than three months, or by both such fine and imprisonment.

CHAPTER 47, ARTICLE 8.—*Sunday labor.*

SECTION 3852. Every person who shall either labor himself, or compel or permit his apprentice or servant, or any other person under his charge or control, to labor or perform any work other than the household offices of daily necessity, or other works of necessity or charity * * * on the first day of the week, commonly called Sunday, shall be deemed guilty of a misdemeanor, and fined not exceeding fifty dollars.

SECTION 3853. The last section shall not extend to any person who is a member of a religious society by whom any other than the first day of the week is observed as a Sabbath, so that he observes such Sabbath, nor to prohibit any ferryman from crossing passengers on any day of the week * * *.

SECTION 3855. Every person who shall expose to sale any goods, wares or merchandise, or shall keep open any * * * grocery * * * on the first day of the week, commonly called Sunday, shall, on conviction, be adjudged guilty of a misdemeanor and fined not exceeding fifty dollars.

SECTION 3856. The last section shall not be construed to prevent the sale of any drugs or medicines, provisions or other articles of immediate necessity.

CHAPTER 63.—*Exemption from execution, etc.—Personal property.*

SECTION 4902. The following property only shall be exempt from attachment and execution, when owned by any person other than the head of a family: First, the wearing apparel of all persons: second, the necessary tools and implements of trade of any mechanic, whilst carrying on his trade.

SECTION 4903. The following property, when owned by the head of a family, shall be exempt from attachment and execution: First, ten head of choice hogs, ten head of choice sheep, and the product thereof in wool, yarn or cloth, two cows and calves, two plows, one ax, one hoe and one set of plow gears, and all necessary farm implements for the use of one man; second, two work animals, and feed of the value of twenty-five dollars for the stock above exempted; third, the spinning wheels and cards, one loom and apparatus, necessary for manufacturing cloth in a private family; fourth, all spun yarn, thread and cloth manufactured for family use; fifth, any quantity of hemp, flax and wool, not exceeding twenty-five pounds each; sixth, all wearing apparel of the family, four beds with usual bedding, and such other household and kitchen furniture, not exceeding the value of one hundred dollars, as may be necessary for the family, agreeably to an inventory thereof, to be returned on oath, with the execution, by the officer whose duty it may be to levy the same; seventh, the necessary tools and implements of trade of any mechanic while carrying on his trade; * * * ninth, all such provisions as may be on hand for family use, not exceeding one hundred dollars in value; tenth, the bibles and other books used in a family, lettered gravestones, and one pew in a house of worship * * *.

SECTION 4906. Each head of a family, at his election, in lieu of the property mentioned in the first and second sub-divisions of section 4903, may select and hold, exempt from execution, any other property, real, personal or mixed, or debts and wages, not exceeding in value the amount of three hundred dollars.

SECTION 4908. When the articles specified in the first, second, third, fourth, fifth, sixth, ninth, and tenth clauses of section 4903 shall belong to a married man, and he at the time the execution is levied, or at any time before the sale under it, has absconded or absented himself from his place of abode, his wife

may claim said articles, or, in lieu of the property mentioned in the first and second sub-divisions of section 4903, may select and hold, exempt from execution or attachment, any other property, real, personal or mixed, debts or wages, not exceeding in value the amount of three hundred dollars, and may receive the same, or any other articles mentioned in this chapter, from the officer, and may, if the said articles are taken or withheld from her, in her own name sue for and recover the same, or the value thereof, and in such suit shall not be required to give security for costs.

SECTION 4909. Nothing contained in this chapter shall be construed so as to exempt any property from seizure and sale for the payment of taxes due this state, or any city, town or county thereof.

SECTION 4910. For all personal services rendered by any person acting in the capacity of house servant or common laborer, to an amount not exceeding ninety dollars, no property shall be exempt from seizure and sale under execution: *Provided*, That suit be instituted to recover the same within the time in section 4912 limited.

SECTION 4912. The persons specified in section 4910, in order to secure the benefit thereof, shall commence their actions within six months next after the last services shall have been rendered.

SECTION 4914. Personal property shall in all cases be subject to execution on a judgment against the purchaser for the purchase price thereof, and shall in no case be exempt from such judgment and execution, except in the hands of an innocent purchaser, for value, without notice of the existence of such prior claim for the purchase money.

CHAPTER 63.—*Wages preferred—In execution, insolvency, payments by receivers, etc.*

SECTION 4911. Hereafter when the property of any company, corporation, firm or persons shall be seized upon by any process of any court of this state, or when their business shall be suspended by the action of creditors, or be put into the hands of a receiver or trustee, then in all such cases the debts owing to laborers or servants, which have accrued by reason of their labor or employment, to an amount not exceeding one hundred dollars to each employé, for work or labor performed within six months next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts, and such laborers or employés shall be preferred creditors, and shall be first paid in full; and if there be not sufficient to pay them in full, then the same shall be paid to them *pro rata*, after paying costs. Any such laborer or servant desiring to enforce his or her claim for wages under this chapter shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property, within ten days after the seizure thereof on any execution or writ of attachment, or within thirty days after the same may have been placed in the hands of any receiver or trustee; and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto, after first paying all costs occasioned by the seizure of such property, out of the proceeds of the sale of the property seized: *Provided*, That any person interested may contest any such claim or claims, or any part thereof, by filing exceptions thereto, supported by affidavit, with the officer having the custody of such property; and thereupon the claimant shall be required to reduce his claim to judgment before some court having jurisdiction thereof before any part thereof shall be paid.

CHAPTER 70.—*Conditional sale of personal property.*

SECTION 5180. In all cases where any personal property shall be sold to any person, to be paid for in whole or in part in installments, or shall be leased, rented, hired or delivered to another on condition that the same shall belong to the person purchasing, leasing, renting, hiring or receiving the same whenever the amount paid shall be a certain sum, or the value of such property, the title to the same to remain to the vendor, lessor, renter, hirer or deliverer of the same, until such sum, or the value of such property, or any part thereof, shall have been paid, such condition, in regard to the title so remaining until such payment, shall be void as to all subsequent purchasers in good faith, and creditors, unless such condition shall be evidenced by writing executed, acknowledged and recorded as provided in cases of mortgages of personal property.

SECTION 5181. Whenever such property is sold or leased, rented, hired or delivered, it shall be unlawful for the vendor, lessor, renter, hirer or deliverer, or his or their agent or servant, to take possession of said property without tendering or refunding to the purchaser, lessee, renter or hirer thereof, or any party receiving the same, the sum or sums of money so paid, after deducting therefrom a reasonable compensation for the use of such property, which shall in no case exceed twenty-five per cent. of the amount so paid, anything in the contract to the contrary notwithstanding, and whether such condition be expressed in such contract or not, unless such property has been broken or actually damaged, and then a reasonable compensation for such breakage or damage shall be allowed.

CHAPTER 74.—*Exemption from garnishment, etc.—Wages.*

SECTION 5220. * * * nor shall any person be charged as garnishee on account of wages due from him to a defendant in his employ for the last thirty days' service: *Provided*, Such employé is the head of a family and a resident of this state * * * .

CHAPTER 80.—*Exemption from execution, etc.—Homesteads.*

SECTION 5435. The homestead of every housekeeper or head of a family, consisting of a dwelling house and appurtenances, and the land used in connection therewith, not exceeding the amount and value herein limited, which is or shall be used by such housekeeper or head of a family as such homestead, shall, together with the rents, issues and products thereof, be exempt from attachment and execution, except as herein provided; Such homestead in the country shall not include more than one hundred and sixty acres of land, or exceed the total value of fifteen hundred dollars; and in cities having a population of forty thousand or more, such homestead shall not include more than eighteen square rods of ground, or exceed the total value of three thousand dollars; and in cities having a population of ten thousand, and less than forty thousand, such homestead shall not include more than thirty square rods of ground, or exceed the total value of fifteen hundred dollars; and in cities and incorporated towns and villages having a population less than ten thousand, such homestead shall not include more than five acres of ground, or exceed the total value of fifteen hundred dollars; and any married woman may file her claim to the tract or lot of land occupied by her and her husband, or by her, if abandoned by her husband, as a homestead * * *. After the filing of such claims, duly acknowledged, the husband shall be debarred from and incapable of selling, mortgaging or alienating the homestead in any manner whatever, and every such sale, mortgage or alienation is hereby declared null and void * * *.

SECTION 5439. If any such housekeeper or head of a family shall die, leaving a widow or any minor children, his homestead to the value aforesaid shall pass to and vest in such widow or children, or if there be both, to such widow and children, and shall continue for their benefit without being subject to the payment of the debts of the deceased, unless legally charged thereon in his lifetime, until the youngest child shall attain its legal majority, and until the death of such widow; and such homestead shall, upon the death of such housekeeper or head of a family, be limited to that period. * * *

SECTION 5441. Such homestead shall be subject to attachment and levy of execution upon all causes of action existing at the time of the acquiring such homestead, except as herein otherwise provided; and for this purpose such time shall be the date of the filing in the proper office for the records of deeds, the deed of such homestead, when the party holds title under a deed, but when he holds title by descent or devise, from the time he becomes invested with the title thereto; and in case of existing estates, such homestead shall not be subject to attachment or levy of execution upon any liability hereafter created.

CHAPTER 95, ARTICLE 1.—*Hours of labor.*

SECTION 6353. From and after the first day of May, in the year eighteen hundred and sixty-seven, the period of eight hours shall be and constitute a legal day's work; but nothing in this section shall be so construed as to prevent parties to any contract for work, services or labor from agreeing upon a longer or shorter time. This section shall not apply to persons hired or employed by the month, nor to laborers or farm hands in the service of farmers or others engaged in agriculture.

CHAPTER 95, ARTICLE 2.—*Arbitration of labor disputes.*

SECTION 6354. Upon information furnished by an employer of laborers, or by a committee of employés, or from any other reliable source, that a dispute has arisen between employers and employés, which dispute may result in a strike or lock out, the commissioner of labor statistics and inspection shall at once visit the place of dispute and seek to mediate between the parties, if in his discretion it is necessary so to do.

SECTION 6355. If a mediation can not be effected, the commissioner may at his discretion direct the formation of a board of arbitration, to be composed of two employers and two employés engaged in a similar occupation to the one in which the dispute exists, but who are not parties to the dispute, and the commissioner of labor statistics and inspection, who shall be president of the board.

SECTION 6356. The board shall have power to summon and examine witnesses, and hear the matter in dispute, and, within three days after the investigation, render a decision thereon, which shall be published, a copy of which shall be furnished each party in dispute, and shall be final, unless objections are made by either party within five days thereafter: *Provided*, That the only effect of the investigation herein provided for shall be to give the facts leading to such dispute to the public through an unbiased channel.

SECTION 6357. In no case shall a board of arbitration be formed when work has been discontinued, either by action of the employer or the employés; should, however, a lock out or strike have occurred before the commissioner of labor statistics could be notified, he may order the formation of a board of arbitration upon resumption of work.

SECTION 6358. The board of arbitration shall appoint a clerk at each session of the board, who shall receive three dollars per day for his services, to be paid, upon approval by the commissioner of labor statistics, out of the fund appropriated for expenses of the bureau of labor statistics.

CHAPTER 96.—*Exemption from attachment.*

SECTION 6390. Property exempt from execution shall be also exempt from attachment for rent, except the crop grown on the demised premises on which the rent claimed is due.

CHAPTER 109.—*Earnings of married women.*

SECTION 6859. Such married woman, [abandoned by husband] during the period her husband shall fail to provide for her support, * * * shall be entitled to the proceeds of her own earnings, and also to the proceeds of the earnings of her minor children; and the same shall be under her sole control, and shall not be liable in any manner for his debts.

CHAPTER 109.—*Exemption from execution, etc.—Married women entitled.*

SECTION 6864. A married woman shall be deemed a femme sole so far as to enable her * * *, to sue and be sued, and to enforce and have enforced against her property such judgments as may be rendered for or against her, * * * *Provided*, A married woman may invoke all exemption and homestead laws now in force for the protection of personal and real property owned by the head of the family, except in cases where the husband has claimed such exemption and homestead rights for the protection of his own property.

CHAPTER 115, ARTICLE 1.—*Weighing coal at mines.*

SECTION 7054. It shall be unlawful for any mine owner, lessee or operator of coal mines in this state, employing miners at bushel or ton rates, or other quantity, to pass the output of coal mined by said miners over any screen or other device which shall take any part from the value thereof, before the same shall have been weighed and duly credited to the employé sending the same to the surface, and accounted for at the legal rate of weights as fixed by the laws of Missouri.

SECTION 7055. The weighman employed at any mine shall subscribe an oath or affirmation before a justice of the peace, or other officer authorized to administer oaths, to do justice between employer and employé, and weigh the output

of coal from the mines as herein provided. The miners employed by or engaged in working for any mine owner, operator or lessee of any mine in this state shall have the privilege, if they desire, of employing at their own expense a check-weighman, who shall have like rights, powers and privileges in the weighing of coal as the regular weighman, and be subject to the same oath and penalties as the regular weighman. Said oath or affirmation shall be kept conspicuously posted in the weigh office, and any weigher of coal, or person so employed, who shall knowingly violate any of the provisions of this article, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine of not less than twenty-five nor more than one hundred dollars for each offense, or by imprisonment in the county jail for a period not to exceed thirty days, or by both such fine and imprisonment, proceedings to be instituted in any court having competent jurisdiction.

SECTION 7056. Any person or persons having or using any scale or scales for the purpose of weighing the out-put of coal at mines, so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever, by reason of which such coal is not correctly weighed and reported in accordance with the provisions of this article, shall be deemed guilty of a misdemeanor, and shall, upon conviction, for each such offense, be punished by a fine of not less than two hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail for a period not to exceed sixty days, or by both such fine and imprisonment, proceedings to be instituted in any court of competent jurisdiction.

SECTION 7057. The manner of weighing, as hereinbefore provided for, shall apply to the class of workers in mines known as loaders, engaged in mines wherein the mining is done by machinery, whenever the workmen are under contract to load coal by the bushel, ton, or any quantity, the settlement of which is had by weight.

CHAPTER 115, ARTICLE 1.—*Payment of wages.*

SECTION 7058. It shall not be lawful for any corporation, person or firm engaged in manufacturing or mining in this state to issue, pay out or circulate for payment of the wages of labor, any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise than in lawful money of the United States, unless the same is negotiable and redeemable at its face value, without discount, in cash or in goods, wares or merchandise or supplies, at the option of the holder, at the store or other place of business of such firm, person or corporation, or at the store of any other person on whom such paper may be drawn, where goods, wares or merchandise are kept for sale, sold or exchanged, and the person who, or corporation, firm or company which, may issue any such order, check, memorandum, token or other evidence of indebtedness, shall, upon presentation and demand, within thirty days from date or delivery thereof, redeem the same in goods, wares, merchandise or supplies at the current cash market prices for like goods, wares, merchandise or supplies, or in lawful money of the United States, as may be demanded by the holder of any such order, memorandum, token or other evidence of indebtedness; *Provided*, That if said corporation, person or firm engaged as specified in this section have a regular pay-day once in every thirty days, then said corporation, person or firm shall not be required to redeem such token or evidence of indebtedness in cash until the first pay-day after the same become payable, as herein provided, and such token or evidence of indebtedness shall be presented for payment in cash only on such pay-days.

SECTION 7059. The employés of operators of mines mentioned in this article shall be regularly paid at least once in every thirty days, and at no pay-day shall there be withheld of the earnings of any employé any sum to exceed the amount due him for his labor for the four days next preceding any such pay-day. And such operators shall, whenever demand therefor shall be made by any employé, issue to such employé a due-bill for the amount due him up to the day of the demand, which due-bill shall be negotiable, whatever the form thereof shall be, and shall be redeemed by such operator in cash or its equivalent, at the option of the holder, on any pay-day, if the same shall be presented for redemption by any holder thereof; and any such operator failing or refusing to pay his employés, or to issue to them his due-bills as in this section provided, shall become immediately liable to any such employé in double the sum due such employé at the time of such failure or refusal, to be recovered by civil action in the name of such employé in any court of competent jurisdiction of the state. And no

employé within the meaning of this article shall be deemed to have waived any right accruing to him under this section by any contract he may make contrary to the provisions thereof.

SECTION 7060. Any officer or agent of any corporation, or any person, firm or company engaged in the business of manufacturing or mining in this state, who by themselves or agent shall issue or circulate in payment for wages of labor any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise than in lawful money of the United States, without b ing negotiable and payable at the option of the holder in goods, wares, merchandise, supplies or lawful money of the United States, as required by section 7058 of this article, or who shall fail to redeem the same when presented for payment within thirty days from date or delivery thereof, by said company or its agent at his or their office or place of business, in lawful money of the United States, or who shall compel or attempt to coerce any employé of any such corporation, person, firm or company to purchase goods, wares, merchandise or supplies from any particular person, firm or corporation, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not less than ten nor more than five hundred dollars for each and every such offence.

CHAPTER 115, ARTICLE 2.—*Mine regulations and inspection.*

SECTION 7061. The owner, agent or operator of each and every mine in this state, employing ten or more men, shall make or cause to be made, at the discretion of the inspector or other person acting in that capacity, an accurate map or plan of the workings of such mine and each and every vein thereof, showing the general inclination of the strata, together with any material deflections in the said workings and the boundary lines of said mine, and deposit a true copy of said map or plan with the clerk of the county court of each county wherein may be located the said mine; which said map or plan shall be so filed or deposited within three months after the time when this article shall take effect, and a copy of such map or plan shall also be kept for inspection at the office of the said mine; and during the month of January of each and every year after this article shall have taken effect, the said owner, agent or operator shall furnish the inspector and the clerk of the county court as aforesaid with a statement, and a further map or plan of the progress of the workings of such mine, continued from the last report to the end of the month of December next preceding, and the inspector shall correct his map or plan of said workings in accordance with the statement and map or plan thus furnished; and when any mine is worked out or abandoned, that fact shall be reported to the inspector, and the map or plan of such mine in the office of the clerk of the county court shall be carefully corrected and verified.

SECTION 7062. Whenever the owner, agent or operator of any mine shall neglect, fail or refuse to furnish the said inspector and clerk as aforesaid with a statement, the map or plan or addition thereto, as provided in the first section of this article, at the times and in the manner therein provided, the said inspector is hereby authorized to cause an accurate map or plan of the workings of such mine to be made at the expense of the said owner, agent or operator, and the cost thereof may be recovered by law from said owner, agent or operator, in the same manner as other debts, by suit in the name of the inspector and for his use.

SECTION 7063. In all coal mines that are now or have been in operation prior to the first day of January, 1887, and which are worked by or through a shaft, slope or drift, and in which more than ten miners are employed in each twenty-four hours, if there is not already an escapement shaft to each and every said mine, or communication between each and every mine and some other contiguous mine, then there shall be an escapement shaft or other communication, such as shall be approved by the mine inspector, making at least two distinct means of ingress and egress for all persons employed or permitted to work in such mine. Such escapement shaft or other communication with a contiguous mine aforesaid shall be constructed in connection with every vein or stratum of coal worked in such mine, and the time to be allowed for such construction shall be one year when such mine is under one hundred feet in depth, two years when such mine is over one hundred feet and under three hundred feet, and three years when it is over three hundred feet and under four hundred feet, and four years when it is over four hundred feet in depth, and five years for all mines over five hundred feet, from the time this article goes into effect; and in all cases where the working force of one mine has been driven up to or into the

workings of another mine, the respective owners of such mine, while operating the same, shall keep open a roadway at least two and one-half feet high and four feet wide, thereby forming a communication as contemplated in this article, and for a failure to do so shall be subject to the penalty provided for in section 7069 of this article, for each and every day such roadway is unnecessarily closed. Each and every such an escapement shall be separated from the main shaft by such extent of natural strata as shall secure safety to the men employed in such mines—such distance to be left to the discretion and judgment of the mine inspector or person acting in that capacity; and in all coal mines that shall go into operation for the first time after the first day of January, 1888, such an escapement or other communication with a contiguous mine, as aforesaid, shall be constructed within one year after such mine shall have been put into operation. And it shall not be lawful for the owner, agent or operator of any such mine as aforesaid to employ any person to work therein, or permit any person to go therein for the purpose of working, except such persons as may be necessary to construct such an escapement shaft, unless the requirements of this section shall have first been complied with; and the term "owner" used in this article shall mean the immediate proprietor, lessee or occupant of any mine, or any part thereof, and the term "agent" shall mean any person having, on behalf of the owner, the care or management of any mine, or any part thereof: *Provided*, Nothing in this section shall be construed to extend the time allowed by law for constructing escapement shaft.

SECTION 7064. The owner, agent or operator of every mine, whether operated by shaft, slope or drift, shall provide and maintain for every such mine a sufficient amount of ventilation, to be determined by the inspector, at the rate of one hundred cubic feet of air per man per minute, measured at the foot of the downcast, which shall be forced and circulated to the face of every working place throughout the mine, so that said mine shall be free from standing gas of whatsoever kind; and in all mines where fire-damp is generated, every working place where such fire-damp is known to exist shall be examined every morning with a safety lamp by a competent person, before any other persons are allowed to enter. The ventilation required by this section may be produced by any suitable appliances, but in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining the upcast with incombustible material for a sufficient distance up from said furnace.

SECTION 7065. The owner, agent or operator shall provide that bore-holes shall be kept twenty feet in advance of the face of each and every working place, and, if necessary, on both sides, when driving towards an abandoned mine and part of a mine suspected to contain inflammable gases or to be inundated with water.

SECTION 7066. The owner, agent or operator of every mine operated by shaft shall provide suitable means of signaling between the bottom and the top thereof, and shall also provide safe means of hoisting and lowering persons in a cage covered with boiler iron, so as to keep safe, as far as possible, persons descending into and ascending out of said shaft; and such cage shall be furnished with guides to conduct it on slides through such shaft, with a sufficient brake on every drum to prevent accident in case of the giving out or breaking of machinery: and such cage shall be furnished with spring catches, intended and provided, as far as possible, to prevent the consequences of cable breaking or the loosening or disconnecting of the machinery; and no props or rails shall be lowered in a cage while men are descending into or ascending out of said mine: *Provided*, That the provisions of this section in relation to covering cages with boiler iron shall not apply to coal mines less than one hundred feet in depth, where the coal is raised by horse-power. No male person under the age of twelve years, or female of any age, shall be permitted to enter any mine to work therein; nor shall any boy under the age of fourteen years, unless he can read or write, be allowed to work in any mine. Any party or person neglecting or refusing to perform the duties required to be performed by the provisions of this article shall be deemed guilty of a misdemeanor, and punished by a fine in the discretion of the court trying the same, subject, however, to the limitations as provided by section 7069 of this article.

SECTION 7067. No owner, agent or operator of any mine operated by shaft or slope shall place in charge of any engine whereby men are lowered into or hoisted out of the mines, any but an experienced, competent and sober person not under eighteen years of age; and no person shall be permitted to ride upon a loaded cage or wagon used for hoisting purposes in any shaft or slope, and in no case shall more than twelve persons ride on any cage or car at one time, nor

shall any coal be hoisted out of any mine while persons are descending into such mine: and the number of persons to ascend out of or descend into any mine on one cage shall be determined by the inspector; the maximum number so fixed shall not be less than four nor more than twelve, nor shall be lowered or hoisted more rapidly than five hundred feet to the minute.

SECTION 7068. All boilers used in generating steam in and about coal mines shall be kept in good order, and the owner, agent or operator, as aforesaid, shall have the said boiler examined and inspected by hydrostatic pressure and warm water, by a competent boiler-maker or other qualified person, as often as once every six months, and the result of every such examination shall be certified in writing to the mine inspector; and the top of each and every shaft, and the entrance of each and every immediate working vein, shall be securely fenced by gates properly covering and protecting such shaft and entrance thereto; and the entrance to every abandoned slope, air or other shaft, shall be securely fenced off; and every steam boiler shall be provided with a proper steam gauge, water gauge, and safety valve, and all underground self-acting or engine planes or gangways on which coal cars are drawn and persons travel, shall be provided with some proper means of signaling between the stepping places and the end of said planes or gangways, and sufficient places of refuge at the sides of such planes or gangways shall be provided at intervals of not more than twenty feet apart.

SECTION 7069. Whenever loss of life or serious personal injury shall occur by reason of any explosion or of any accident whatsoever, in or about any mine, it shall be the duty of the person having charge of such mine to report the facts thereof without delay to the state mine inspector, and if any person is killed thereby, to notify the coroner of the county also, or in his absence or inability to act, any justice of the peace of said county; and the said inspector shall, if he deem it necessary from the facts reported, immediately go to the scene of said accident and make suggestions and render such assistance as he may deem necessary for the safety of the men; and the inspector shall investigate and ascertain the cause of such explosion or accident and make a report thereof, which he shall preserve with the other records of his office; and to enable him to make such investigations, he shall have the power to take depositions, compel the attendance of witnesses and administer oaths or affirmations to them; and the cost of such investigations shall be paid by the county court of the county in which such accident shall have occurred, in the same manner as costs of coroners' inquests are now paid. And a failure on the part of the person having charge of any mine in which any such accident may have occurred to give notice to the inspector or coroner, as provided for in this section, shall subject such person to a fine of not less than one hundred nor more than three hundred dollars, to be recovered of him in the name of the state of Missouri, before any justice of the peace of such county wherein the mine is situate and the accident occurred; and such fine, when collected, shall be paid into the county treasury for the use and benefit of said county.

SECTION 7070. In all cases in which punishment is not provided for by fine under this article, for a breach of any of its provisions, the fine for the first offense shall not be less than fifty nor more than two hundred dollars, and for the second offense not less than two hundred nor more than five hundred dollars, to be recovered in any court of the state having competent jurisdiction.

SECTION 7071. The governor shall appoint an inspector of mines, who shall serve for two years, and shall have a practical mining experience, but not be interested in any mine, and shall receive a salary of $1,500 per annum and his actual traveling expenses. He shall have his office in the office of the commissioner of labor statistics, and when not inspecting mines act as a clerk in said office, giving his whole time to the state.

SECTION 7072. The inspector provided for in this article shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in any of the mines in this state, that the provisions and requirements provided for in this article be faithfully observed and obeyed, and the penalties of the law enforced. He shall also collect and tabulate in his report, to be made to the bureau of labor statistics on the 15th day of October of each year, the extent of workable mining lands in this state, by counties; also, the manner of mining, whether by shaft, slope or drift, the number of mines in operation, the number of men employed therein, the amount of capital invested, and the amount of mineral, coal, etc., produced.

SECTION 7073. It shall be lawful for the inspector provided for in this article to enter, examine and inspect any and all mines and machinery belonging

thereto, at all reasonable times, by day or by night, but so as not to obstruct or hinder the necessary workings of such mine, and the owner, agent or operator of every such mine is hereby required to furnish all necessary facilities for such entering, examination and inspection; and if the said owner, agent or operator aforesaid shall refuse to permit such inspection, or to furnish the necessary facilities for such entry, examination and inspection, the inspector shall file his affidavit setting forth such refusal before the judge of the circuit court in said county in which said mine is situated, either during the term of the court or during vacation, and obtain an order on such owner, agent or operator so refusing as aforesaid, commanding him to permit and furnish such facilities for the inspection of such mine, or to be adjudged to stand in contempt of court and punished accordingly; and if the said inspector shall, after examination of any mine and the works and machinery pertaining thereto, find the same to be worked contrary to the provisions of this article, or unsafe for the workmen therein employed, said inspector shall, through the circuit attorney of his county, or any attorney in case of his refusal to act, acting in the name and on behalf of the state, proceed against the owner, agent or operator of such mine, either separately or collectively, by injunction, without bond, after giving at least two days' notice to such owner, agent or operator; and said owner, agent or operator shall have the right to appear before the judge to whom application is made, who shall hear the same on affidavits and such other testimony as may be offered in support as well as in opposition thereto; and if sufficient cause appear, the court, or judge in vacation, by order, shall prohibit the further working of any such mine in which persons may be unsafely employed contrary to the provisions of this article, until the same shall have been made safe and the requirements of this article shall have been complied with; and the court shall award such costs in the matter of said injunction as may be just; but any such proceedings so commenced shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this article.

SECTION 7074. For any injury to persons or property occasioned by any willful violation of this article, or willful failure to comply with any of its provisions, a right of action shall accrue to the party injured for any direct damages sustained thereby: and in case of loss of life by reason of such willful violation or willful failure as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heirs or adopted children, or to any person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages sustained by reason of such loss of life or lives.

SECTION 7075. Any miner, workmen or other person who shall knowingly injure any water gauge, barometer, air course or brattice, or shall obstruct or throw open any air-ways, or carry any lighted lamps or matches into places that are worked by the light of safety lamps, or shall handle or disturb any part of the machinery of the hoisting engine, or open a door to a mine and not have the same closed again, whereby danger is produced, either to the mine or those at work therein, or who shall enter into any part of the mine against caution, or who shall disobey any order given in pursuance of this article, or who shall do any willful act whereby the lives and health of persons working in the mine, or the security of the mine or miners, or the machinery thereof, is endangered, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine or imprisonment, at the discretion of the court.

SECTION 7076. The owner, agent or operator of any mine shall keep a sufficient supply of timber, when required to be used as props, so that the workmen may at all times be able to properly secure the said workings from caving in, and it shall be the duty of the owner, agent or operator to send down all such props when required.

SECTION 7077. All miners or other persons employed in or about a mine, using gun or blasting powder or other explosive, shall have and keep a strong box in which all surplus gun or blasting powder or other explosive in the mine shall be kept, excepting so much only as is necessary for immediate use. These boxes shall be kept locked, and not opened unless it be to put in or take out powder; nor must these strong (or powder) boxes be nearer than one hundred feet to the place of blasting. And in all dry and dusty coal mines or mines discharging light carbonated hydrogen gas, shot-fires must be employed to fire all shots after the employés and other persons have retired from the mine: *Provided, however*, That the above section shall refer only to mines working ten or more men.

CHAPTER 126, ARTICLE I.—*Convict labor.*

SECTION 7224. The penitentiary shall be under the control and direction of three inspectors, with one warden * * *.

SECTION 7232. * * * It shall also be the duty of the warden to classify the the convicts in their labor, so far as it can conveniently be done * * *. And he shall use his best endeavors to the end that the expenses of the penitentiary may be paid out of the proceeds of the labor of convicts, when employed in manufacturing or otherwise, on behalf of the state, and shall act under the direction of the inspectors in making contracts for the employment of the labor of the convicts.

SECTION 7235. * * * He [the warden] shall, under the direction of the inspectors, purchase such raw material as may be required for manufacture by convicts, * * * and shall have charge of all articles manufactured for the state, * * * and shall sell such manufactured articles in such manner as may be for the best interest of the state * * *.

SECTION 7238. The warden shall, in his discretion, advertise for bids for the unemployed convict labor, under such terms and conditions as he shall deem for the best interests of the state. Such advertisement shall fully set forth the terms, and as near as may be, the number of such convicts to be employed, and the length of time for which they may be employed. He may renew any contracts for labor within the walls which may be already in existence, without advertising the same. No contract shall be made for a longer period than ten years. All contracts shall be approved by the board of inspectors: *Provided*, That no convict shall be employed outside the prison walls, except in making improvements connected with the penitentiary or other State improvements, or in erecting buildings for the state, or for the preservation and security of the property of the state, and in collecting and providing materials therefor: *And provided, further*, That the warden is hereby authorized to use the labor of convicts, not otherwise employed, on the penitentiary farm, in improving any of the public grounds belonging to the state, or in any quarry or brick-yard belonging to or under the control of the state, anywhere within the state, or for the purpose of procuring fuel, water, ice or other necessary supplies for the penitentiary, or for the protection of the state's property at Jefferson City from changes or washes in the Missouri River or otherwise, or as teamsters for the state; and contractors within the walls shall have the right to employ trusty convicts as teamsters, and such other help as may be necessary in transporting material, supplies and manufactured goods to and from the railroad depots and the levee: *Provided*, That nothing in this article shall be so construed as to annul, set aside or in any manner affect any contract heretofore made by the warden and inspectors with any other persons for using convict labor outside of the prison walls, leaving every such contract to expire by its own terms, except that all such labor as is now under contract shall be continued only at such place or places where it is now employed. No state officer or person connected with the penitentiary as an officer or employé, the inspectors included, shall be directly or indirectly interested in any contract for convict labor. Any violation of this provision shall be deemed a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary not less than three nor more than ten years.

SECTION 7252. It shall be unlawful for the warden to hire out either male or female convicts as domestic servants to any person outside of the prison walls, or to permit any male or female convict to be used as a domestic servant without reward * * *.

SECTION 7274. Eight hours per day from October 15th to April 15th, and ten hours per day from April 15th to October 15th, shall constitute a day's labor for each convict; and no convict shall be required to do any work on the Sabbath day, excepting necessary labor for the state.

CHAPTER 152, ARTICLE 1.—*Bureau of labor statistics.*

SECTION 8215. There is hereby established a separate and distinct department in this State, to be known as the "bureau of labor statistics and inspection of factories, mines and workshops."

SECTION 8216. The object of this department shall be to collect, assort, systematize and present in annual report to the governor, to be by him transmitted biennially to the general assembly, statistical details and information relating to all the departments of labor in the state, especially in its relations to the commercial, industrial, social, educational and sanitary condition of the labor-

ing classes, and to the permanent prosperity of the productive industries of the state, and also to secure the inspection of all mines, factories, warehouses, workshops, foundries, machine shops and other manufacturing establishments, where persons, male and female, are employed throughout the state, and the observance of the regulations herein relating thereto.

SECTION 8217. The governor shall, with the advice and consent of the senate, appoint, immediately after this article goes into effect, and every two years thereafter, commencing on the first Wednesday in February, 1885, some suitable person to perform the duties herein required, who shall be known as "commissioner of labor statistics and inspection," and who shall keep an office in such place as may be designated by the governor.

SECTION 8218. The commissioner shall have power and authority in the discharge of his duties to enter and to inspect all factories, warehouses, elevators, workshops, tunnels, mines, foundries, machine shops and other manufacturing establishments, and he shall, as far as practicable, inspect or cause to be inspected the same, and shall, annually, on or before the 5th day of November, present a report thereof, in writing, to the governor, which shall contain statistical details relating to all departments of labor in the state, and to the inspection made by him, together with such other information as is contemplated by section 8216.

SECTION 8219. The commissioner shall have power to administer oaths or affirmations, to examine witnesses and to take and preserve evidence; and it shall be the duty of all state, county and municipal officers to furnish to said commissioner, upon his request, all statistical information in reference to labor which may be in their possession as such officers.

SECTION 8220. The owner, lessee, operator or manager of any mine, factory, workshop, warehouse, elevator, foundry, machine shop or other manufacturing establishment, shall not put at work or place therein for the purpose of labor or service, more persons in any one room or place than hygienic laws will warrant with safety to the health of such persons; all such rooms or places of employment shall have sufficient ventilation to carry off all foul or impure air, and to reduce the air of such room or place of employment to the standard of fresh air as near as may be practicable. Such rooms or places shall also have a sufficient number of doors, stairways and fire-escapes for the ready egress and escape of the maximum number of employés therein; and it is hereby made the duty of said commissioner to include in his annual report any non-observance of the requirements and regulations contained in this section which may come to his knowledge, together with the facts in relation thereto, and such suggestions and recommendations as he may deem proper.

SECTION 8221. Any owner, operator, manager or lessee of any mine, factory, workshop, warehouse, elevator, foundry, machine shop or other manufacturing establishment, or any agent or employé of such owner, operator, manager or lessee, who shall refuse to said commissioner admission therein for the purpose of inspection, or who shall, when requested by him, neglect or refuse to furnish to him any statistical or other information relative to his duties which may be in their possession or under their control, shall, for every such neglect or refusal, be deemed guilty of a misdemeanor, and shall, on conviction, be fined in a sum not less than twenty-five nor more than one hundred dollars.

SECTION 8222. The commissioner of labor statistics and inspection shall receive an annual salary of two thousand dollars, payable monthly, and said commissioner is hereby authorized to employ such assistance and incur such expense, not exceeding two thousand dollars per annum, as may be necessary to carry out the provisions of this article, such expenses to be paid on the vouchers presented by the commissioner: *Provided, however*, That said expenses shall not exceed, in any one year, the amount appropriated therefor; said commissioner shall, before entering upon the duties of his office, execute a bond to the state of Missouri in the sum of twenty thousand dollars, with two or more good and sufficient sureties, conditioned upon the faithful, honest and impartial performance of his duties under this article, which bond shall be approved by the state auditor and filed in his office. Said commissioner shall include in his annual report to the governor an itemized statement of the expenses of the bureau incurred by him.

SECTION 8223. Nothing herein contained shall be construed to repeal or in any way affect the provisions of * * * [sections 7061, 7062, 7063, 7064, 7065, 7066, 7067, 7068, 7069, 7070, 7071, 7072, 7073, 7074, 7075 and 7076 of the Revised Statutes of 1889], and it is hereby made the duty of said commissioner to secure, as far as may be in his power, a proper observance of [said sections] * * *. Said commissioner shall have authority, whenever necessary in the discharge of his duties, to personally inspect any of the mines in this state.

CHAPTER 152, ARTICLE 2.—*Statistical information.*

SECTION 8225. It shall be the duty of every owner, operator, manager or lessee of any mine, factory, warehouse, elevator, foundry or machine shop, or other manufacturing establishments doing business and incorporated under the laws of this state, to report annually on the first day of October, to the commissioner of the bureau of statistics of labor, the name of firm or corporation, where located, the class and value of goods manufactured yearly, the number of weeks in operation, the cost of buildings and grounds, the cost of machinery and repairs, the amount paid yearly for rent, taxes and insurance; the value of raw material used yearly, the total amount of wages paid yearly, the total number of employés, male and female; the total number of skilled and unskilled employés, male and female, and highest and lowest wages paid skilled and unskilled male and female employés, giving age of females under fourteen years.

SECTION 8226. The commissioner of the bureau of statistics of labor is hereby authorized to furnish suitable blanks to the owner, operator, manager or lessee of any mine, factory, workshop, warehouse, elevator, foundry, machine shop or any other manufacturing establishment, to enable said owner, operator, manager or lessee to intelligently comply with the provisions of section 8224 of this article: and any such owner, operator, manager or lessee who shall wilfully neglect or refuse to comply with the provisions of this article shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars.

MONTANA.

CONSTITUTION.

ARTICLE 15.—*Certain contracts of employés waiving right to damages void.*

SECTION 16. It shall be unlawful for any person, company or corporation to require of its servants or employés, as a condition of their employment or otherwise, any contract or agreement whereby such persons, company or corporation shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employés while in the service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employés thereof; and such contracts shall be absolutely null and void.

ARTICLE 18.—*Bureau of agriculture, labor and industry.*

SECTION 1. The legislative assembly may provide for a bureau of agriculture, labor and industry, to be located at the capital and be under the control of a commissioner appointed by the governor subject to the confirmation of the senate. The commissioner shall hold his office for four years, and until his successor is appointed and qualified, his compensation shall be as provided by law.

ARTICLE 18.—*Convict labor—Contract system prohibited.*

SECTION 2. It shall be unlawful for the warden or other officer of any state penitentiary or reformatory institution in the state of Montana, or for any state officer to let by contract to any person or persons or corporation the labor of any convict within said institutions.

ARTICLE 19.—*Exemption from execution, etc.*

SECTION 4. The legislative assembly shall enact liberal homestead and exemption laws.

ARTICLE 20.—*Territorial laws in force in state.*

SECTION 1. All laws enacted by the legislative assembly of the territory of Montana and in force at the time the state shall be admitted into the Union and not inconsistent with this constitution or the constitution or laws of the United States of America, shall be and remain in full force as the laws of the state until altered or repealed, or until they expire by their own limitation: *Provided*, That whenever in said laws the words, "Territory," "Montana Territory" or "Territory of Montana" occur, the words, "State" or "State of Montana" shall be appropriately substituted and read therefor; * * * .

COMPILED STATUTES OF 1887.

FIRST DIVISION—CODE OF CIVIL PROCEDURE.

TITLE 9.—*Exemption from execution, etc.—Personal property.*

SECTION 321. The following property shall be exempt from execution, except as herein otherwise provided:

First. In all cases all wearing apparel of the judgment debtor and family; also all chairs, tables, desks, and books, to the value of one hundred dollars; and also all necessary household, table, and kitchen furniture of the judgment debtor, including stoves, stove-pipes, and stove furniture, beds, bedding, and bedsteads, and provisions and fuel provided for individual or family use sufficient for two months, and also one horse, two cows with their calves, two swine, and fifty domestic fowls. In addition to the above-mentioned property, there shall be exempt the following-named property:

First. To a farmer: Farming utensils or implements of husbandry, not exceeding in value six hundred dollars; also, two oxen, or one horse or mule, and their harness, one cart or wagon, and food for such oxen, horse, cows, or mule, for three months: also, all seeds, grain, or vegetables, actually provided, reserved, or on hand, for the purpose of planting or sowing at any time within six months, not exceeding in value the sum of two hundred dollars.

Second. To a mechanic or artizan: Tools or implements necessary to carry on his trade.

* * * * * * *

Fifth. To a miner: His cabin or dwelling, not exceeding in hose, windlasses, derrick, cars, pump, tools, implements, and appliances necessary for carrying on any kind of mining operations, not exceeding in value the aggregate sum of five hundred dollars, and one horse, mule, or two oxen, with their harness, and food for such horse, mule, or oxen, for three months, when necessary to be used for any whim, windlass, derrick, car, pump, or hoisting gear.

Sixth. To a cartman, huckster, peddler, teamster, or laborer: One horse or mule, or two oxen, and their harness, and one cart or wagon, by the use of which such person habitually earns his living: and one vehicle and harness or other equipments used by a physician or surgeon or minister of the gospel in making his professional visits, with food for such horse, mule, or oxen, for three months.

* * * * * * *

Tenth. The earnings of the judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of the execution (or levy of attachment) when it shall be made to appear by the debtor's affidavit, or otherwise, that such earnings are necessary for the use of his family residing in this Territory, supported wholly or in part by his labor.

In addition to the property now exempted by law from sale or levy on execution, there shall be exempted one sewing machine, of a value not exceeding one hundred dollars, in actual use by each debtor, or family of the debtor: *Provided*, That nothing in this section shall be held or construed to exempt any property belonging to any person who is not a bona fide resident of this territory.

SECTION 330. * * * None of the personal property herein mentioned shall be exempt from attachment or execution for the wages of any clerk, mechanic, laborer or servant.

TITLE 9.—*Exemption from execution, etc.—Homesteads.*

SECTION 322. A homestead consisting of any quantity of land not exceeding one hundred and sixty acres used for agricultural purposes, and the dwelling house thereon, and its appurtenances, to be selected by the owner thereof, and not included in any town plot, city, or village; or, instead thereof, at the option of the owner, a quantity of land not exceeding in amount one-fourth of an acre, being within a town plot, city, or village, and the dwelling house thereon, and its appurtenances, owned and occupied by any resident of this territory, shall not be subject to forced sale on execution, or any other final process from a court: *Provided*, Such homestead shall not exceed in value the sum of two thousand five hundred dollars.

SECTION 323. Such exemption shall not affect any laborer's or mechanic's lien, or extend to any mortgage thereon lawfully obtained: but such mortgage or other alienation of such homestead by the owner thereof, if a married man,

shall be void unless the wife join in the execution of the conveyance thereof; and nothing contained in this act shall be so construed as to affect any existing debt or debts contracted in this territory prior to the passage of this act.

SECTION 327. Real estate exempt from forced sale on execution or other final process, as the homestead of a family, shall likewise, after the death of the owner thereof, be exempt from the payment of his debts, in all cases in which any infant children of the said owner shall survive him; and no executor or administrator shall have a right to the possession of any real estate so exempted, or to the rents or profits of the same.

SECTION 329. On the death of the owner of such homestead, the same shall descend to his widow, and she shall take and hold the same during her natural life, free from the incumbrance of all judgments and claims against the deceased or his estate, except mortgages lawfully executed thereon.

FOURTH DIVISION—CRIMINAL LAWS.

CHAPTER 13.—*Intimidation, etc., of employers and employés.*

SECTION 252. Every person who by force, or fraud, or by threats, or intimidation, either by words, or writing, or actions, or exhibition of force, shall prevent, or interfere with, or hinder, or delay, any contractor, mechanic, laborer, workman, or employé, in the performance of any lawful contract, work, labor or employment, for any person or company, or upon any terms, or at any price, or wages, to which such contractor, mechanic, laborer, workman, or employé, may have agreed, or for which he may desire to work, or labor, or contract, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

SECTION 253. Every person who, by force or fraud, or by threats of injury to person or property, or intimidation, either by words, or writing, or actions, or exhibition of force, or otherwise, and without authority of law, shall prevent or interfere with, or hinder or delay, any person, company or corporation, in the lawful use, or working, or enjoyment, or control, of any mining claim, mill, works, machinery, or other property, or in the lawful management, direction and control of any workmen, or employé, of such person, company or corporation, or in the working or performance by such person, company or corporation, of any lawful contract or agreement for hiring, or work, or labor, or other services, shall be guilty of a misdemeanor and on conviction shall be punished as prescribed in section 252.

SECTION 254. Every person who shall knowingly aid, abet, assist, advise or encourage, any other person or persons to commit any of the offences mentioned in sections 252 and 253, and every person who, knowing any of such offences to have been committed, shall assist or aid the offender in escaping arrest, or trial, shall be guilty of a misdemeanor, and, on conviction, shall be punished as provided in section 252.

FIFTH DIVISION—GENERAL LAWS.

CHAPTER 1.—*Certain employments of children forbidden.*

SECTION 12. Any person having the care, custody or control of any minor child, under the age of sixteen years, who shall in any manner sell, apprentice, give away or otherwise dispose of such child, and any person who shall take, receive or employ such child, for the vocation or occupation of rope or wire walking, or as an acrobat, gymnast or contortionist, and any person having the care, custody or control of any minor child whatsoever, shall sell, apprentice or give away, or otherwise dispose of such child, or who shall take, receive or employ such child for any obscene or indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of record, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense.

SECTION 15. Any person who shall take, receive, hire or employ any child under thirteen years of age, in any underground works or mine, or like place whatsoever, shall be guilty of a misdemeanor, and, upon conviction thereof, in the manner provided in the 11th section of this act, shall be fined not less than ten dollars, nor more than fifty dollars.

CHAPTER 7.—*Board of arbitration and conciliation.*

SECTION 82. The governor of the territory shall upon the passage of this act by the legislative assembly, and before the close of the fifteenth regular session of the legislative assembly of the territory of Montana and every two years thereafter with the advice and consent of the legislative council, appoint three competent persons to serve as a territorial board of arbitration and conciliation in the manner hereinafter provided. One of them shall be an employer or selected from some association representing employers of labor; one of them shall be a laborer or selected from some labor organization, and not an employer of labor, and the third shall be a citizen who will not probably be directly interested in any dispute between employers and employés. * * *

SECTION 83. Whenever any controversy or differences not involving questions which may be the subject of a suit at law or bill in equity exists between an employer, whether an individual, copartnership or corporation and his employés, if at any time he employs not less than twenty persons in the same general line of business in this territory, the board shall, upon application as hereinafter provided, and as soon as practicable thereafter, visit the locality of the dispute and make careful inquiry into the cause thereof, hear all persons interested therein who may come before them, advise the respective parties what, if anything ought to be done, or submitted to by either or both, to adjust said dispute and make a written decision thereof. The decision shall at once be made public, shall be recorded upon proper books of record, to be kept by the clerk of said board, and a short statement thereof published in the annual report hereinafter provided for, and said board shall cause a copy thereof to be filed with the clerk of the county where said business is carried on.

SECTION 84. Said application to the board of arbitration shall be signed by said employer, or by a majority of his employés in the department of the business in which the controversy or difference exists, or by both parties, and shall contain a concise statement of the grievances complained of, and a promise to continue on in business or at work, without any lockout or strike until the decision of said board, if it shall be made within four weeks of the date of filing said application. Immediately upon the receipt of said application the clerk of said board shall cause public notice to be given of the time and place for hearing. Should the petitioner, or petitioners, fail to perform the promise made therein, the board shall proceed no further thereupon without the written consent of the adverse party.

SECTION 85. Upon the receipt of such application, and after such notice, the board shall proceed, as before provided, and render a written decision, which shall be open to public inspection, shall be recorded upon the records of the board, and a copy thereof filed with the county clerk and published in the annual report to be made to the governor on or before the thirty-first day of December in each year.

SECTION 86. Said decision shall be binding upon the parties who join in said application for six months, or until either party has given the other notice, in writing, of his intention not to be bound by the same, at the expiration of sixty days therefrom. Said notice may be given to employés by posting the same in three conspicuous places in the shop, office, factory, store, or mill or mine where said employés work.

SECTION 87. The parties to any controversy or difference, as provided in section 84 of this act, may agree upon a board of arbitration and conciliation, who shall in the matters referred to them have and exercise all the powers which the territorial board might have and exercise, and their jurisdiction of the matter referred to them shall be exclusive, except that they may ask and receive the advice and assistance of the territorial board in the disposition of the matters submitted to them for their determination. The report of any board, constituted under the provisions of this section, shall at once be filed with the clerk of a county in which the controversy or difference arose, and a copy thereof shall be forwarded to the territorial board and entered upon its records.

CHAPTER 35.—*Liability of railroad companies for injuries of employés.*

SECTION 697. That in every case the liability of the corporation to a servant or employé acting under the orders of his superior, shall be the same in case of injury sustained by default or wrongful act of his superior, or to an employé not appointed or controlled by him as if such servant or employé were a passenger.

CHAPTER 35.—*Judgment for work or labor done to be a lien on railroad property.*

SECTION 707. A judgment against any railway corporation for any injury to person or property, or for material furnished, or work or labor done upon any of the property of such corporation, shall be a lien within the county where recovered on the property of such corporation, and such lien shall be prior and superior to the lien of any mortgage or trust deed provided for in this act.

CHAPTER 86.—*Earnings of married women.*

SECTION 1442. All work and labor performed by a married woman for a person other than her husband and children shall, unless there is a written agreement on her part to the contrary, be presumed to be performed on her separate account.

CHAPTER 89.—*Safety apparatus for mine shafts.*

SECTION 1508. It shall be unlawful for any person or persons, company or companies, corporation or corporations, after the first day of July, A. D. 1887, to sink or work through any vertical shaft where mining cages are used at a greater depth than three hundred feet, unless the said shaft shall be provided with an iron-bonneted safety cage, to be used in the lowering and hoisting of the employés of such person or persons, company or companies, corporation or corporations. The safety apparatus, whether consisting of eccentrics, springs or other device, shall be securely fastened to the cage and shall be of sufficient strength to hold the cage loaded at any depth to which the shaft may be sunk. The iron bonnet aforesaid shall be made of boiler sheet iron of a good quality, of at least three-sixteenths of an inch in thickness and shall cover the top of said cage in such manner as to afford the greatest protection to life and limb from any matter falling down said shaft.

SECTION 1509. Any person or persons, company or companies, corporation or corporations, after the first day of July, A. D. 1887, who shall neglect, fail or refuse to comply with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars.

CHAPTER 100.—*Exemption from taxation.*

SECTION 1668. The following classes of property shall be exempt from taxation:

* * * * * * *

Fifth. The property of widows or orphan children, not to exceed the amount of one thousand dollars to any one family.

Sixth. Growing crops.

Seventh. Tools of mechanics, farming tools of husbandmen, libraries of professional men and private citizens, household furniture of families or householders, which do not exceed in value the sum of two hundred and fifty dollars.

* * * * * * *

Tenth. All live stock under the age of six months.

CHAPTER 121.—*Wages preferred—In assignments.*

SECTION 2050. That in all assignments of property made by any person, association, corporation, copartnership, chartered company or corporation, to trustees or assignees on account of inability of assignor at the time of the assignment to pay his or their debts, or in proceedings in insolvency the wages of the miners, mechanics, salesmen, servants, clerks or laborers employed by such assignor for services rendered within sixty days immediately previous to such as-

signment, not to exceed two hundred dollars for each person, are preferred claims and must be paid by such trustees or assignees before any other creditor or creditors of such assignor.

CHAPTER 121.—*Wages preferred—In administration.*

SECTION 2051. In case of the death of any employer, the wages of each miner, mechanic, salesman, clerk, servant or laborer for services rendered within the sixty days next preceding the death of the employer, not exceeding two hundred dollars, shall rank in priority next after the funeral expenses, expense of the last sickness, the charges and expenses of administration upon the estate, and the allowance to the widow and infant children, must be paid before other claims against the estate of the deceased person.

CHAPTER 121.—*Executions, etc., subject to claim of employés for wages.*

SECTION 2052. In case of executions, attachments and writs of a similar nature, issued against any person, corporation, association, copartnership, or chartered company, except for claims for labor done, any miners, mechanics, salesmen, servants, clerks or laborers who have claims against the defendant for labor done, may give notice of their claims and the amount thereof, sworn to by the person making the claim, to the parties plaintiff and defendant to the action in which such execution, attachment or other writ has been issued, and upon the officer executing the same. Service of notice herein required may be made upon the officer charged with the execution of such writ in one or more cases that may be pending against such person, who shall forthwith serve such notice and claim, by copy, upon the said parties, plaintiff and defendant, if found in the county where such action is pending, or upon their respective attorneys employed in such case or cases pending. * * *

ACTS OF 1889.

Inspection of steam boilers and examination of engineers.

(Page 101.)

SECTION 1. There shall be appointed by the governor, by and with the advice of the legislative council, one boiler inspector for Montana, whose duty it shall be to inspect all steam boilers in use in Montana, not subject to inspection under the laws of the United States, and to examine and grant certificates of license to steam engineers entrusted with the care and management of steam boilers and steam machinery; said inspector shall receive a salary at the rate of $200 per month, and shall be appointed for the term of two years, unless sooner removed by the governor for cause; * * *.

SECTION 2. No person shall be eligible to hold the office of inspector of boilers and steam machinery who has not had at least five years' actual practice in the operation of steam engines and steam boilers, or who is directly or indirectly interested in the manufacture or sale of boilers or steam machinery, or any patented article required to be sold or in general use in the construction of steam boilers or steam engines, or who is not of good moral character and temperate habits, and suitably qualified by experience with steam boilers and machinery so as to enable him to perform the duties of the office; * * *.

SECTION 3. There shall also be an assistant inspector, to be called the assistant inspector of boilers. Such assistant inspector shall be a person who has had at least four years' experience in practical running and operation of steam engines and boilers, and he shall be a person of temperate habits and good character, and qualified by experience to perform the duties of his office. He shall be appointed by the governor, by and with the advice and consent of the council, and shall be subject to removal at the will of such governor. * * *

SECTION 5. The said inspector of boilers shall inspect all steam boilers or steam generators before the same shall be used, except in the case of new boilers, which shall be inspected within ninety (90) days after they are put in use, unless accompanied by a certificate that such boiler has been inspected by a regular state inspector, and all boilers shall be inspected once at least in every year thereafter. And the inspector of boilers shall subject all boilers to hydrostatic pressure, and shall satisfy himself, by a thorough internal and external examination, that the boilers are well made and of good and suitable materials; that

the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat are of the proper dimensions and free from obstructions; that the flues are circular in form; that the fire line of the furnace is at least two inches below the prescribed minimum water line of the boilers; that the arrangement for delivering the feed water is such that the boilers cannot be injured thereby, and that such boilers and their steam connections may be safely employed without danger to life. He shall also satisfy himself that the safety valves are of suitable dimensions, sufficient in number and area and properly arranged and that the safety valve weights are properly adjusted, so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there are a sufficient number of gauge cocks properly inserted to indicate the amount of water, and suitable gauges that will correctly record the pressure of steam; and adequate and certain provisions for an ample supply to feed the boilers at all times, and that suitable means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers when they are under pressure of steam. In subjecting boilers to the hydrostatic test, the inspector shall assume one hundred and twenty-five (125) pounds to the square inch as the maximum pressure allowable as a working pressure for new boilers of forty-two inches in diameter, made in the best manner of plates one-fourth of an inch thick and of good material; but the inspector shall rate the working power of all high-pressure boilers according to their strength as compared with this standard, and in all cases, the test applied shall exceed the working pressure allowed, in the ratio of one hundred (100) to seventy-five (75). Should the inspector be of the opinion that any boiler, by reason of its construction or material, will not safely allow so high a working pressure, or will allow a greater working pressure than is herein provided, he may, for reasons to be stated specifically in his certificate, fix the pressure of such boiler at more or less than three-fourths (¾) of the test pressure, as the case may be. No boiler or steam pipe, nor any of the connections thereto, shall be approved which is made in whole or in part of bad material, or is unsafe from any cause. Nothing herein shall be construed to prevent the use of any boiler or steam generator which may not be constructed of riveted iron or steel plates, when the inspector has satisfactory evidence that such boiler or steam generator is equal in strength and as safe from explosion as boilers of the best quality constructed of iron or steel plates: *Provided*, In any case where for good cause the inspector is unable to make any such inspection or examination of any steam boiler, it shall be the duty of the assistant inspector to proceed and act in accordance with the requirements of this law, as fully as the inspector is hereby empowered and directed to do.

SECTION 6. In addition to the annual inspection, it shall be the duty of the inspector, or of the assistant inspector, to examine at proper times, when in their opinion such examination shall become necessary, all such boilers as shall become unsafe from any cause, and to notify the owner, or the person using such boilers of any defect and what repairs are necessary to render them safe. In case of failure to comply with the requirements of said inspector or assistant inspector, the owner or person using such boiler shall be liable to a fine not exceeding five hundred (500) dollars and liable for any damage to person or property resulting therefrom.

SECTION 7. It shall be the duty of the owners or managers of steam boilers mentioned in this act, to allow said inspectors free access to the same, and it is hereby made the duty of engineers operating the same to assist the inspectors in their examinations and to point out any defects they may know in the boilers or machinery in their charge. Any engineer not complying with this section shall be subject to have his license revoked or be suspended.

SECTION 8. No person shall be granted a license to operate steam boilers or steam machinery under the provisions of this act who has not been examined by an inspector and found competent to perform the duties of an engineer and receive from such inspector a written or printed license so to act. Any person who shall operate any steam boiler or steam engines without first obtaining a license from an inspector or assistant inspector, shall be deemed guilty of a misdemeanor, and shall be fined not to exceed fifty (50) dollars, or imprisonment in the county jail for not more than thirty (30) days. Engineers shall be divided into three classes, namely: First-class engineers, second-class engineers, third-class engineers. No license shall be granted to any person to perform the duties of "first-class engineer" who has not taken and subscribed an oath that he has had at least three years' experience in the operation of steam boilers and steam machinery, or whose knowledge or experience is not such as to justify the belief

that he is competent to take charge of all classes of steam boilers and steam machinery. No license shall be granted to any person to act as "second-class engineer" who has not taken and subscribed an oath that he has had at least two years' experience in the operation of steam boilers and steam machinery, and whose experience and habits of life are such as to warrant the belief that he is competent to take charge of all classes of steam boilers and steam machinery, not exceeding one hundred (100) horse power. No license shall be granted to any person to act as "third-class engineer" who has not served at least one (1) year as fireman under a competent engineer, and found upon examination to be sufficiently acquainted with the duties of an engineer, to warrant the belief that he can be safely trusted with steam boilers and steam machinery, not exceeding twenty (20) horse power. All firemen who have charge of steam boilers, as to the regulation of the feed water, etc., and where the boilers are so situated as not at all times to be under the eye of the engineer in charge, shall be required to pass a "third-class engineer's" examination and procure the same license. Whenever complaint is made against an engineer holding a license from the territorial inspectors, that he has through negligence, want of skill, or inattention to duty, permitted his boiler to burn, or otherwise to become in bad condition, or that he has been found intoxicated while on duty, it shall be the duty of the inspector or assistant inspector to make a thorough investigation of the charge, and upon satisfactory proof of such charge to revoke the license of such engineer, provided nothing in this section contained shall permit the assistant inspector to issue any license certificate to a first-class engineer without first submitting the recommendation that such certificate be issued to the approval of the inspector and securing his approval and consent thereto. The inspector and the assistant inspector shall, as often as convenient, publish a notice in some suitable newspaper, stating upon what days they will be in certain specified localities, and that they will then, and at the time and place specified in such notice, receive applications and make examinations for the purpose of granting engineers' certificates, and that they will, also, on or about said specified times, examine all boilers subject to inspection in the vicinity of the place where such notice may be published.

SECTION 9. * * * Any inspector or assistant inspector who shall wilfully certify falsely regarding any steam boilers or their attachments, or shall grant a license to any person to act as engineer, contrary to the provisions of this act, shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars ($500) or imprisonment not exceeding one (1) year in the Territorial prison, or both, at the discretion of the court.

SECTION 10. The inspector or assistant inspector shall be authorized to charge a fee of ten (10) dollars for the inspection of each single boiler and its steam connections, and five (5) dollars for each additional boiler, when connected, said fee payable at the time of the delivery of the inspector's certificate of inspection. The fee for the examination of applicants for engineer's license shall be seven dollars and fifty cents ($7.50) for first-class engineers, five (5) dollars for second-class engineers, and three (3) dollars for third-class engineers; which said fee shall be paid at the time of application for license. In case of the failure of an applicant to pass a successful examination, three (3) months must elapse before he can be again examined as an applicant for license herein in the class for which he was examined: *Provided*, That the said inspector may grant to an applicant a lower grade of license than that applied for upon such examination. All certificates of inspection and engineer's licenses shall be displayed in some conspicuous place in the engine room.

SECTION 11. If any person who has applied for a license as a first, or second, or third class engineer under the provisions of this act and been rejected, feels aggrieved, he may at any time after the lapse of ten days, and within ninety days after the day of his rejection, by petition in writing, set forth the causes for his grievance and demand another examination. Such petition shall be addressed to and served upon the inspector, and shall be duly verified by the rejected applicant, and shall be accompanied by the required fee for a second examination. Within two days after receiving such petition and fee, it shall be the duty of the inspector of boilers to notify the applicant in writing, that on a day certain, which shall be not less than five nor more than forty days after the day of the service of the petition upon such inspector, he will be ready to grant him another examination. At least two days before the day set for such examination the applicant shall designate in writing to such inspector, an engineer holding a certificate of equal grade with the one such applicant may ask reëxamination for, whom he will have present upon the day and at the hour fixed for his reëxamination.

Upon the same day, or any day prior to the date set for such examination such inspector and selected engineer shall in writing agree upon and designate and notify a third disinterested engineer holding a license equal in grade to the rejected applicant's, to sit with them on the day set for such reëxamination as an examining board to reëxamine such rejected applicant for a certificate of the class he may have applied for and been rejected. Upon the day and hour set for such reëxamination all three of such board, that is, the inspector and the engineer selected by the applicant and the engineer agreed upon by them, shall proceed to carefully reëxamine such applicant and fully and fairly test his qualifications and capabilities to receive a license such as he may apply for. After such examination is completed, if a majority of such board decide that such applicant is entitled to the license he has applied for, or any license of any inferior grade, the inspector shall without delay issue a certificate accordingly; but if a majority of such board reject such applicant, it shall be deemed a final rejection and he shall not be granted another examination for the space of ninety days after such last rejection, when he may again apply to the inspector or assistant as provided by section ten of this act, and no person shall be granted more than one reëxamination before a board under the provisions of this act. * * *

SECTION 12. This act shall not apply to railroad locomotives in Montana, nor shall it apply to traction engines, engines and boilers mounted on wheels, boilers used for heating purposes in private residences, nor shall it apply to other boilers having a capacity of five-horse power or less, nor shall locomotive engineers or persons operating any of the engines or boilers herein exempted from the operation of this act, be required to procure licenses from the Territorial inspector or assistant inspector: *Provided*, Nothing in this act anywhere contained shall be construed to exempt from inspection and examination any steam boiler in use anywhere within the limits of an incorporated city or town: * * *.

SECTION 13. All certificates of licenses to engineers of all classes shall be renewed yearly. The fee for renewal shall be one dollar in all cases. All moneys collected by virtue of this act shall be paid by the board of inspectors into the territorial treasury at least as often as once in each month. It shall be the duty of the inspector of boilers to make an annual report to the governor of Montana, setting forth * * * the number of boilers inspected by them, and number and grades of licenses issued and to whom, and the general results of the experiences of his office; and such recommendations as to him may seem proper and fit. Said report shall also refer to and account for the causes of any boiler explosions which may have occurred in Montana during the year, and the loss of life or property.

SECTION 15. After the expiration of nine months from the first of March, 1889, it shall be unlawful for any person in the territory or state to operate a stationary boiler or steam engine, or any boiler or steam engine other than railroad locomotives or other engines and boilers exempted in section ten (10) of this act, as herein provided for, without a license granted under the provisions of this act. The owner, renter or user of the steam engine or boiler shall be equally liable for violations of this section: *Provided, however*, That in case of accident, sickness, refusal to work or any unforeseen event of the licensed engineer employed by any owner, renter or user of a steam engine or boiler, operated in remote districts, which would retard the work to be performed, the owner, renter or user may for the space of four (4) weeks employ any person he may consider competent to run the engine or boiler, said person not having a license: *Provided, however*, That the person so employing the unlicensed engineer shall immediately notify the inspector or assistant inspector.

Mine regulations and inspection.

(Page 160.)

SECTION 1. The office of inspector of mines of Montana * * * is hereby created.

SECTION 2. The governor, by and with the consent and advice of the legislative council, shall appoint an inspector of mines, who shall be a person of temperate habits, a citizen of the United States, a resident of Montana, and a property owner therein, not under thirty (30) years of age, who shall be theoretically and practically acquainted with mines and mining in all its branches, and whose term of office shall be for two (2) years, unless sooner removed by the governor for cause, and whose office shall be at the capital of Montana: * * *. No per-

son shall hold the office of inspector of mines of Montana who may be an employé of any mining company or corporation during his term of office, or who may be during such term of service an officer of any mining company or corporation, or a director thereof. * * *

SECTION 3. The inspector of mines shall have a seal bearing the words "Inspector of Mines of Montana," which shall be kept by him exclusively for the use of his office, and said seal shall be affixed to official documents only.

SECTION 4. The inspector of mines shall devote his entire time to the duties of his office, and shall receive a salary of two thousand five hundred dollars per annum. The governor of Montana with the advice and consent of the legislative council shall appoint a deputy inspector of mines. Such deputy inspector shall serve for two years, but shall always be subject to removal by the governor. The deputy inspector shall act at any time when an emergency arises, such as in case of accidents in mines, or of the absence or disability of inspector, * * * .

SECTION 6. It shall be the duty of inspector of mines to visit, enter and examine in person or by duly appointed deputy any mine or piece of mining ground for the purpose of ascertaining the condition of the same in regard to its safety, ventilation and means of egress, and for this purpose shall have access at any and all times to any mine stopes, levels, winzes, tunnels, drifts, crosscuts, shafts, works and machinery for the purpose of such inspection: *Provided, however*, The working of such mines shall not be impeded or obstructed during such examination: *Provided further*, That this inspection shall not be at the expense of the owner, lessor, lessee, or agent of the mine being examined, but said owners, lessor, lessee or agent shall render such assistance as may be necessary to enable the inspector to make the required examination.

SECTION 7. Whenever the inspector of mines shall receive a formal complaint in writing, signed by three or more persons, setting forth that the mine in which they are employed is dangerous in any respect, he shall, in person or by deputy, visit and examine such mine: *Provided*, Every such formal complaint shall in all cases specifically set forth the nature of the danger existing at the mine, and shall describe with as much certainty as is possible, how such danger, apparently or really, renders such mine dangerous, and shall set forth the time the cause of such danger was first observed, and shall distinctly set forth whether or not any notice of such defect or danger has been given by the complainants or any one else to their knowledge, to the superintendent of such mine, and if no such complaint has been made to such superintendent, the reason why it has not been made: *And provided further*, That all complaints shall be duly verified by the three or more complainants, who shall sign the same before some officer authorized by law to administer oaths. After such complaint shall have been received by the inspector of mines, it shall be the duty of such inspector to serve a certified copy thereof, but without the names of the complainants, upon the superintendent, or manager, or owner of such mine, at any time before he visits the same, and as soon as possible to visit such mine; and if from such examination he shall ascertain that the said mine is from any cause in a dangerous condition, he shall at once notify the owner, lessor, lessee, or agent thereof, such notice to be in writing, and to be served by copy on such owner, lessor, lessee, or agent, in the same manner as provided by law for the serving of legal notices or process, and said notice shall state fully and in detail, in what particular manner such mine is dangerous or insecure, and shall require all necessary changes to be made without delay, for the purpose of making said mine safe for the laborers employed therein; and in case of any criminal or civil procedure at law against the party or parties so notified, on account of loss of life or bodily injury sustained by any employé subsequent to such notice, and in consequence of a neglect to obey the inspector's requirement, a certified copy of the notice served by the inspector shall be *prima facie* evidence of the culpable negligence of the party or parties so complained of. Nothing in this act shall be so construed as to give the control of any mine to the mine inspector or deputy, or to allow them to interfere with the working of any mine.

SECTION 8. It shall be the duty of the inspector of mines at least once in each year, either in person or by a duly authorized deputy, to visit each mining county in Montana, and examine as many of the mines in the different counties as practicable, and shall make such recommendations as in his judgment are necessary to insure the safety of the workmen employed therein; and whenever, from his examination, he shall find any mine to be in an unsafe condition he shall at once serve a notice upon the owner, lessor, lessee, or agent thereof, as provided for in section seven of this act.

SECTION 9. Whenever a serious or fatal accident shall occur in any mine in Montana it shall be the duty of the owner, lessor, lessee, agent or superinten-

dent thereof to immediately and by the quickest means notify the inspector of mines or his deputy as may be most convenient, and upon receiving such notice the inspector in person or deputy shall at once repair to the place of accident, and investigate fully the cause of such accident and whenever possible to do so the inspector or his deputy shall be present at the coroner's inquest held over the remains of the person or persons killed by such accident, and shall testify as to the cause thereof, and shall state whether in his opinion the accident was due to the negligence or mismanagement of the lessor, lessee, owner or agent of such mine, or the manager or superintendent or other persons in charge. If the inspector or deputy inspector can not be immediately present in case of a fatal or serious accident occurring, it shall be the duty of the superintendent, owners, or person in charge of the mine to have written statements made by those witnessing same and duly sworn to. In case of no person being present at the time of the accident, then the statement of those first present shall be taken, which statements shall be sworn to before some person qualified to administer oaths, and such sworn statements shall be placed in the hands of the inspector or deputy inspector upon the demand of either of those officers.

SECTION 10. Any owner, lessor, lessee or agent of any mine who shall fail to comply with the provisions of section nine of this act, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one thousand dollars ($1,000).

SECTION 11. All corporations or individuals working mines in Montana who shall employ or permit to be employed in such mines any children under fourteen years of age shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine not exceeding one thousand dollars.

SECTION 13. The inspector of mines shall make a report to the governor of Montana, on the first day of December of each year, and said report shall enumerate all accidents that have occurred in the mines of Montana which have occasioned serious injury or resulted fatally to persons employed therein together with the nature and cause of such accident. Said report shall contain statistical and other information which may tend to promote the development of the mineral resources of Montana and shall generally set forth the result of the inspector's labors for the year; such reports shall be printed as are the reports of other territorial officers.

SECTION 15. The provisions of this act shall not apply to mines in which less than five (5) men are employed or to mines in which no other person but the owner or owners or lessees thereof are permitted to work.

NEBRASKA.

COMPILED STATUTES OF 1887.

PART I.

CHAPTER 6.—*Wages preferred—In assignments.*

SECTION 44. Nothing in this act contained shall be construed so as to prevent any debtors from paying or securing to be paid any debt not exceeding the sum of one hundred dollars, for clerks' or servants' wages, * * * .

CHAPTER 12 a.—*Inspection, etc., of steam boilers.*

SECTION 109, (as amended by chapter 13, acts of 1889). In all cities of the metropolitan class there shall be a boiler inspector who shall be appointed by the mayor with the approval of the city council. The boiler inspector shall be a practical, mechanical engineer, and perform such duties and have such powers concerning the inspection of steam boilers within the city as may be prescribed by ordinance, and he shall be authorized to charge such fees for the inspection of steam boilers and other steam generators as may be prescribed by ordinance, which he shall pay to the city treasurer at the end of each month and he shall receive a salary at the rate of eighteen hundred ($1,800) dollars per annum, payable monthly, which shall be in full for all his services, and he shall not receive any other fee or perquisite.

CHAPTER 36.—*Exemption from execution, etc.—Homesteads.*

SECTION 1. A homestead not exceeding in value $2,000, consisting of the dwelling house in which the claimant resides, and its appurtenances, and the land on which the same is situated, not exceeding 160 acres of land, to be selected by the owner thereof, and not in any incorporated city or village or instead thereof at the option of the claimant, a quantity of contiguous land not exceeding two lots within any incorporated city or village, shall be exempt from judgment liens and from execution or forced sale, except as in this chapter provided.

SECTION 3. The homestead is subject to execution or forced sale in satisfaction of judgments obtained: First, on debts secured by mechanics', laborers', or vendors' liens upon the premises. * * *

SECTION 16. If the homestead be conveyed by the claimant, or sold for the satisfaction of any lien mentioned in section three, the proceeds of the sale, beyond the amount necessary for the satisfaction of such lien, and not exceeding the amount of the homestead exemption, shall be entitled for the period of six months thereafter to the same protection against legal process and the voluntary disposition of the claimant which the law gives to the homestead. And the sale and disposition of one homestead shall not be held to prevent the selection or purchase of another as provided in this chapter.

CHAPTER 39b.—*Bureau of labor census and industrial statistics.*

SECTION 1. There is hereby created a bureau of labor census and industrial statistics, with headquarters in the capitol building, for which stationery, postage, expressage, printing, and facilities for transacting business, shall be furnished the same as for other executive departments.

SECTION 2. The governor of this state is hereby made commissioner of said bureau.

SECTION 3. Said commissioner shall have the power to appoint a deputy at a salary of fifteen hundred dollars per annum, who, when acting for or instead of said commissioner, shall have and may exercise equal power and authority subject to the approval of the commissioner.

SECTION 4. The duties of said commissioner shall be to collect, collate and publish statistics and facts relative to manufactures, industrial classes, and material resources of the state, and especially to examine into the relations between labor and capital, the means of escape from fire and protection of life and health in factories and workshops, mines and other places of industries, the employment of illegal child labor, the exaction of unlawful hours of labor from any employé, the educational, sanitary, moral and financial condition of laborers and artisans, the cost of food, fuel, clothing and building material, the causes of strikes and lockouts, as well as kindred subjects and matters pertaining to the welfare of industrial interests and classes.

SECTION 5. The commissioner or his deputy shall have power to enter any factory or workshop in which labor is employed, for the purpose of gathering facts and statistics, or of examining the means of escape from fire, and the provisions made for the health and safety of operatives in such factory or workshop; and in case the officer of the bureau shall discover any violations of, or the neglect to comply with the laws in respect to child labor, hours of labor for women and children, fire escapes and similar enactments now or hereafter to be made, he shall notify the owner or occupant of such factory or workshop in writing of the offense or neglect, and if such offense or neglect, is not corrected or remedied within thirty days after the service of notice aforesaid, he shall lodge formal complaint with the attorney of the county in which the offense is committed or the neglect occurs, whereupon that officer shall proceed against the offender according to law.

SECTION 6. The commissioner or his deputy may examine hotels and lodging or boarding houses, for the purpose of discovering whether they are properly equipped with lawful fire escapes; and he may post in any hotel, lodging or boarding house so examined the laws upon this matter, together with his official statement as to whether said laws are fully complied with by said hotel, lodging or boarding house. And any hotel, lodging or boarding house keeper, or other who shall mutilate, destroy or remove from any building or buildings, the said laws or statements so posted, shall, upon conviction, be fined any sum not to exceed fifty ($50.00) dollars for each and every offense. Whenever any hotel, lodging or boarding house that has been posted as not having complied with the

terms of the law in respect to fire escapes, shall be properly provided and equipped with lawful fire escapes, and the bureau shall be notified thereof, the commissioner shall at once order a new statement setting forth that fact, to be posted in said hotel, lodging or boarding house, and the bureau shall keep a record of all buildings so examined and posted.

SECTION 7. The commissioner or his deputy may post in any factory or workshop examined by him, the laws now or hereafter to be made in respect to child labor, hours of labor, fire escapes, or others pertaining to the health and safety of artisans or employés, and if the owner, manager and proprietor of any factory or workshop, or his agent or any person whomsoever, shall remove, destroy or mutilate the law so posted, he shall, upon conviction, be fined in any sum not to exceed fifty dollars for each offense.

SECTION 8. The said commissioner shall have power to prescribe blank forms and transmit them to employers, which shall be filled out clearly and completely under oath, by the person or persons to whom they are sent, with the facts, statistics and statements asked for, and returned to him within such reasonable time as he may fix. In case any owner or occupant, or his agent, shall refuse to admit any officer of the said bureau to his workshop or factory, when open or in operation, he shall forfeit the sum of ten dollars for each and every offense, and if he shall, through his agent, or otherwise, neglect, fail or refuse to fill out the said blank forms, and verify and return them as required, he shall forfeit the sum of ten dollars for each and every day said blank may be so delayed beyond the time fixed by the commissioner for their return. The forfeits named and provided in this act shall be sued for in the name of the state, by the county attorney of the respective county where such offense is committed, upon the complaint of any officer of said bureau, or any citizen, and shall be paid into the school fund.

SECTION 10. The commissioner shall report biennially to the governor, accompanying his report with such suggestions and recommendations as may be deemed wise and proper. The said report shall be printed and distributed according to the provisions of the law governing the printing of other state reports.

CHAPTER 53.—*Earnings of married women.*

SECTION 4. Any married woman may * * * perform any labor or services on her sole and separate account; and the earnings of any married woman, from her * * * labor or services, shall be her sole and separate property, and may be used and invested by her, in her own name.

CHAPTER 75.—*Industrial training in reform school.*

SECTION 3. * * * They [inmates of the reform school] shall also be instructed in the principles of the mechanical arts and such practical trades as are best suited to their age, strength and capacity, and best adapted to secure them a livelihood after leaving the school.

CHAPTER 83, ARTICLE VII.—*Convict labor.*

SECTION 17. It shall be the duty of [the board of public lands and buildings] * * *, to cause to be published in at least three papers of general circulation, one of which shall be published in Lincoln, one in Omaha, and one in Chicago, advertisements for sealed proposals for the leasing of penitentiary and penitentiary ground, and convict labor. Said proposals shall provide further, for payment of all penitentiary expenses, including salaries of officers, and other help, the heating of buildings, boarding and clothing convicts. The cost at all times shall be estimated *per capita*. Said board shall have power to make contract with lowest bidder, for a term of not more than ten years: *Provided*, No bid shall be received where the net cost *per capita* shall exceed sixty cents per day, and the estimate shall be on convicts only. Any contract entered into shall provide that the general management and discipline of the convicts shall be under the control of the said board and the warden, and no contract shall be made which shall deprive the convicts of any privileges granted by law.

CHAPTER 86.—*Convict labor.*

SECTION 48. The contract leasing * * * the penitentiary, penitentiary grounds, and convict labor of the state of Nebraska, * * * be, and the same

is hereby extended, for the period of ten years from the first day of October, 1889, * * * subject to all the conditions and provisions contained in the said original contract; * * * *Provided*, That under this extension of said contract, the convicts shall not, nor shall any of them be employed in the manufacture of cigars, brick, or the cutting of stone, except such brick and stone as may be required in making repairs or improvements at the penitentiary, and in the erection of buildings and walls for the confinement of convicts, and for the use of officers and guards, nor shall any of said convicts be employed upon any public buildings, except buildings for penitentiary purposes; * * *.

CHAPTER 90.—*Hours of labor.*

SECTION 1. Ten hours shall constitute one day's labor, so far as it concerns laborers and mechanics, throughout the state.

PART II.—CODE OF CIVIL PROCEDURE.

TITLE 14.—*Exemption from execution, etc.—Personal property.*

SECTION 521. All heads of families, who have neither lands, town lots or houses subject to exemption as a homestead, under the laws of this state, shall have exempt from forced sale on execution the sum of five hundred dollars in personal property.

SECTION 530. No property hereinafter mentioned shall be liable to attachment, execution, or sale, on any final process issued from any court in this state, against any person being a resident of this state and the head of a family.

First. The family bible.

Second. Family pictures, school books, and library for the use of the family.

Third. A seat or pew in any house or place of public worship.

Fourth. A lot in any burial ground.

Fifth. All necessary wearing apparel of the debtor and his family. All beds, bedsteads, and bedding necessary for the use of such family. All stoves and appendages put up or kept for the use of the debtor and his family, not to exceed four. All cooking utensils, and all other household furniture not herein enumerated, to be selected by the debtor, not exceeding in value one hundred dollars.

Sixth. One cow, three hogs, and all pigs under six months old, and if the debtor be at the time actually engaged in the business of agriculture, in addition to the above, one yoke of oxen, or a pair of horses in lieu thereof: ten sheep, and the wool therefrom, either in the raw material or manufactured into yarn or cloth: the necessary food for the stock mentioned in this section, for the period of three months; one wagon, cart or dray, two plows and one drag; the necessary gearing for the team herein exempted; and other farming implements not exceeding fifty dollars in value.

Seventh. The provisions for the debtor and his family necessary for six months' support, either provided or growing, or both, and fuel necessary for six months.

Eighth. The tools and instruments of any mechanic, miner or other person, used and kept for the purpose of carrying on his trade or business. The library and implements of any professional man. All of which articles hereinbefore intended to be exempt, shall be chosen by the debtor, his agent, clerk or legal representative, as the case may be.

SECTION 531. Nothing in this chapter shall be so construed as to exempt any property in this state from execution or attachment for clerks', laborers', or mechanics' wages or for money due and owing by any attorney-at-law, for money or other valuable consideration received by said attorney for any person or persons; * * *.

SECTION 531a. The wages of laborers, mechanics, and clerks who are heads of families, in the hands of those by whom such laborers, mechanics, or clerks may be employed, both before and after such wages shall be due, shall be exempt from the operation of attachment, execution, and garnishee process: *Provided*, That not more than sixty days' wages shall be exempt: *Provided further*, That nothing in this act shall be so construed as to protect the wages of persons who have or are about to abscond or leave the state from the provisions of law now in force upon that subject: *Provided further*, That nothing in this act shall be so construed as to permit the attachment of sixty days' wages in the hands of the employer.

PART III.—CRIMINAL CODE.

CHAPTER 23.—*Seats for female employés.*

SECTION 245o. It shall be the duty of every agent, proprietor, superintendent, or employer of female help in stores, offices or schools, within the state of Nebraska, to provide a chair, stool or seat for each and every such employé, upon which these female workers shall be allowed to rest when their duties will permit, or when such position does not interfere with the faithful discharge of their incumbent duties.

SECTION 245p. Any neglect or refusal to provide a chair, stool or seat, for every female worker in the employ of any agent, proprietor, superintendent or employer in the state of Nebraska, shall be deemed a misdemeanor, and upon conviction thereof, shall be fined a sum not less than ten dollars, and not over five hundred dollars, and this fine shall be paid to the said female worker, whose health has been injured by this neglect of her employer to provide said chair, stool or seat, as required by this act.

CHAPTER 23.—*Employment of children.*

SECTION 245aa. No male or female child under the age of twelve years shall be employed in any railroad shops, factories, shops or mines to exceed four months in any one year.

SECTION 245bb. If any person or persons, or body corporate, shall hereafter employ, or if any parent or guardian shall consent to the employment of any male or female child under the age of twelve, as aforesaid, contrary to the provisions of the preceding section, and proof be made thereof before any police judge or justice of the peace of the city, town or district where such offense is committed, he, she or they so employing such child, or consenting thereto, as aforesaid, shall, upon conviction, for every such offense pay a fine of not less than ten nor more than fifty dollars, * * * *Provided*, That no conviction shall be had under this act unless proceedings thereunder shall be commenced within one month after the offense shall have been committed.

SECTION 245cc. All city, town and district police and constables are hereby authorized and required, and it is hereby made their duty to attend to the strict observance of the two preceding sections of this act when complaint shall have been properly made to them of a violation of the same.

ACTS OF 1889.

CHAPTER 25.—*Assignment, etc., of claims to avoid effect of exemption laws as regards wages, unlawful.*

SECTION 1. It * * * is hereby declared unlawful for any creditor of or other holder of any evidence of debt, book account or claim of any name or nature against any laborer, servant, clerk or other employé of any corporation, firm or individual in this state, for the purpose below stated, to sell, assign, transfer, or by any means dispose of any such claim, book account, bill or debt of any name or nature whatever, to any person or persons, firm, corporation or institution, or to institute in this state or elsewhere, or prosecute any suit or action for any such claim or debt against any such laborer, servant, clerk or employé, by any process seeking to seize, attach or garnish the wages of such person or persons earned within sixty days prior to the commencement of such proceeding, for the purpose of avoiding the effect of the laws of the state of Nebraska concerning exemptions.

SECTION 2. That it is hereby declared unlawful for any person or persons to aid, assist, abet or council a violation of section one of this act for any purpose whatever.

SECTION 3. In any proceeding, civil or criminal, growing out of a breach of sections one or two of this act, proof of the institution of a suit or service of garnishment summons by any persons, firm or individual, in any court of any state or territory other than this state, or in this state to seize by process of garnishment or otherwise, any of the wages of such persons as defined in section one of this act, shall be deemed *prima facie* evidence of an evasion of the laws of the state of Nebraska and a breach of the provisions of this act on the part of the creditor or resident in Nebraska causing the same to be done.

SECTION 4. Any persons, firm, company, corporation or business institution guilty of a violation of sections one or two of this act shall be liable to the party injured through such violation of this act for the amount of the debt sold, assigned, transferred, garnished or sued upon, with all costs and expenses and a reasonable attorney's fee, to be recovered in any court of competent jurisdiction in this state; and shall further be liable by prosecution to punishment by a fine not exceeding the sum of two hundred dollars and costs of prosecution.

CHAPTER 28.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 1. It shall be the duty of the board of public lands and buildings, boards of county commissioners, the contracting board of officers of all cities and villages, and all public boards now or hereafter empowered by law to enter into a contract for the erecting and finishing or the repairing of any public building, bridge or other public structure, to which the general provisions of the mechanics' lien laws do not apply, and where mechanics and laborers have no lien to secure the payment of their wages, to take from the person or corporation to whom the contract is awarded a bond, with at least two good and sufficient sureties, conditioned for the payment of all laborers and mechanics for labor that shall be performed in the erecting, furnishing or repairing of the building, or in performing the contract, * * * and no contract shall be entered into by such board until the bond herein provided for has been filed with and approved by said board. The said bond shall be safely kept by the board making the contract, and may be sued on by any person entitled to the benefit of this act. The action shall be in the name of the party claiming the benefit of this act.

CHAPTER 92.—*Labor day.*

SECTION 1. The first Monday in the month of September in each year shall hereafter be known as "Labor Day," and shall be deemed a public holiday in like manner and to the same extent as the holidays provided for in section eight (8) of chapter forty-one (41) of the Compiled Statutes of 1887.

Approved March 29th, 1889.

NEVADA.

CONSTITUTION.

ARTICLE I.—*Exemptions from execution, etc.*

SECTION 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted. * * *.

ARTICLE IV.—*Exemption from execution, etc.—Homesteads.*

SECTION 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, * * * but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon. * * *

GENERAL STATUTES OF 1885.

CHAPTER 1.—*Safety apparatus for mine shafts.*

SECTION 296. It shall be unlawful for any person or persons, company or companies, corporation or corporations * * * to sink or work through any vertical shaft where iron mining cages are used, at a greater depth than four hundred and fifty feet, unless the said shaft shall be provided with an iron bonneted safety cage, to be used in the lowering and hoisting of the employés of such person or persons, company or companies, corporation or corporations. The safety apparatus, whether consisting of eccentrics, springs, or other device, shall be securely fastened to the cage, and shall be of sufficient strength to hold the cage loaded at any depth to which the shaft may be sunk. The iron bonnet aforesaid shall be made of boiler sheet iron of a good quality, of at least three-sixteenths of an inch in thickness, and shall cover the top of said cage in such manner as to

afford the greatest protection to life and limb from any matter falling down said shaft.

SECTION 297. Any person or persons, company or companies, corporation or corporations * * * who shall neglect, fail, or refuse to comply with the provisions of [the preceding] section * * * shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars.

CHAPTER 4.—*Exemption from execution, etc.—Homesteads.*

SECTION 539. The homestead, consisting of a quantity of land, together with the dwelling house thereon and its appurtenances, not exceeding in value five thousand dollars, to be selected by the husband and wife, or either of them, or other head of a family, shall not be subject to forced sale on execution, or any final process from any court, for any debt or liability, * * * except process to enforce the payment of the purchase money for such premises, or for improvements made thereon, or for legal taxes imposed thereon, or for the payment of any mortgage thereon, executed and given by both husband and wife, when that relation exists. Said selection shall be made by either the husband or wife, or both of them, or other head of a family, declaring their intention in writing to claim the same as a homestead. * * *

SECTION 540. Such exemption shall not extend to any mechanic's, laborer's, or vendor's lien lawfully obtained; but no mortgage or alienation of any kind, made for the purpose of securing a loan or indebtedness upon the homestead property, shall be valid for any purpose whatsoever. * * *

SECTION 542. The homestead and all other property exempt by law from sale under execution, shall, upon the death of either spouse, be set apart by the court as the sole property of the surviving spouse, for his or her benefit and that of his or her legitimate child or children; * * * *Provided*, That the exemption made by this act * * * shall not extend to unmarried persons, except when they have the care and maintenance of minor brothers or sisters, or both, or of a brother's or sister's minor children, or of a father or mother, or of grandparents, or unmarried sisters living in the house with them. * * *

CHAPTER 11.—*Convict labor.*

SECTION 1405. The board of commissioners may, in their discretion, cause the prisoners, or any number of them, to be employed in any mechanical pursuits, and at hard labor, and furnish such convicts thus employed, with any material that may be deemed necessary, in the same manner as is provided for the furnishing of supplies and stores to the state prison, and they shall, in all respects, have the exclusive control of the employment of the convicts, and may from time to time employ them in such manner as, in their opinion, will best subserve the interest of the state and the welfare of the prisoners.

SECTION 1406. If, at any time, the board of commissioners be of the opinion that it would be to the interest of the state to employ any portion of the prisoners, either within or without the walls or enclosures of the state prison, either in improvement of the public grounds or buildings, or for hire upon any private work or employment, where they may be profitably employed, they shall have power to so employ or hire such labor; they shall, in such case, direct the warden accordingly in writing, and cause a record of such order to be entered at length on the records of the board. All such employment outside of the prison walls or inclosures shall be within a reasonable distance from the prison.

SECTION 1428. The board of state prison commissioners are hereby authorized to contract for the hire of convict labor for any period not to exceed five years from date of contract, upon such terms and under such provisions as they may deem proper.

CHAPTER 20.—*Exemption from execution, etc.—Personal property.*

SECTION 3243. The following property shall be exempt from execution, except as herein otherwise specially provided:

First. Chairs, tables, desks, and books to the value of one hundred dollars belonging to the judgment debtor.

Second. Necessary household, table, and kitchen furniture belonging to the judgment debtor, including stove, stovepipe, and stove furniture, wearing apparel, beds, bedding, and bedsteads, and provisions and firewood actually provided for individual or family use sufficient for one month.

Third. The farming utensils or implements of husbandry of the judgment debtor; also, two oxen or two horses or two mules and their harness, two cows, and one cart or wagon, and food for such oxen, horses, cows, or mules for one month; also, all seed grain or vegetables actually provided, reserved, or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value two hundred dollars.

Fourth. The tools and implements of a mechanic or artisan necessary to carry on his trade, the instruments and chests of a surgeon, physician, surveyor, and dentist, necessary to the exercise of their profession, with their scientific and professional libraries, and the law libraries of an attorney or counselor, and the libraries of ministers of the gospel.

Fifth. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlass, whim, derrick, cars, pumps, tools, implements, and appliances necessary for carrying on any kind of mining operations, not exceeding in value the aggregate sum of five hundred dollars, and two horses, mules, or oxen, with their harness, and food for such horses, oxen, or mules, for one month, when necessary to be used for any whim, windlass, derrick, car, pump, or hoisting apparatus.

Sixth. Two oxen, two horses, or two mules, and their harness, and one cart or wagon, by the use of which a cartman, huckster, peddler, teamster, or other laborer habitually earns his living; and one horse, with vehicle and harness or other equipments, used by a physician or surgeon, or minister of the gospel in making his professional visits, and also food for such oxen, mules, or horses for one month.

Seventh. One sewing machine, not exceeding in value one hundred and fifty dollars, in actual use by the debtor or his family.

Eleventh. No article or species of property mentioned in this section shall be exempt from execution issued upon a judgment recovered for its price, or upon a mortgage thereon.

CHAPTER 20.—*Exemption from execution, etc.—Wages.*

SECTION 3267. The judge or referee may order any property of the judgment debtor not exempt from execution, in the hands of such debtor, or any other person, or due to the judgment debtor, to be applied toward the satisfaction of the judgment, except that the earnings of the debtor, not exceeding fifty dollars for his personal services at any time within thirty days next preceding the order, shall not be so applied when it shall be made to appear by the debtor's affidavit, or otherwise, that such earnings are necessary for his own support or the use of a family supported wholly or partly by his labor.

CHAPTER 20.—*Wages preferred—In assignments.*

SECTION 3829. That in all assignments of property, whether real or personal, which shall hereafter be made by any person or chartered company or corporation, or by any person or persons, owning or leasing real or personal property, to trustees or assignees on account of inability at the time of the assignment to pay his, her, or their debts, the wages of the miners, mechanics, salesmen, servants, clerks, or laborers, employed by such person or persons, or chartered company or corporation, shall be held and deemed preferred claims, and paid by such trustees or assignees, before any other creditor or creditors of the assignor: *Provided*, That the claims of each miner, mechanic, salesman, servant, clerk, or laborer thus preferred, shall not exceed in value two hundred dollars of gold coin of the United States, and the services shall have been rendered or labor performed within ninety days next preceding said assignment.

CHAPTER 20.—*Wages preferred—In administration.*

SECTION 3830. That in all cases of the death of any employer or employers, the wages of each miner, mechanic, salesman, servant, clerk, and laborer, for services rendered, or labor performed, within ninety days next preceding the death of the employer, shall rank after the funeral expenses of the deceased, the charges and expenses of administering upon the estate, and the allowance to the widow and infant children, and be paid *pro rata* before all other claims against the estate of the deceased person or persons: *Provided*, This act shall in no way affect the homestead or other property exempted by law from forced sale, or any mortgage or lien lawfully obtained on the property of the deceased person before his or her death.

CHAPTER 20.—*Wages preferred—In executions, attachments, etc.*

SECTION 3831. In all cases of execution, attachments and writs of a similar nature against the property of any person or persons, or chartered company or corporation, it shall be lawful for such miner, mechanic, salesman, servant, clerk and laborer to give notice of their claim or claims, and the amount thereof, duly certified and sworn to by the creditor or creditors making the claim to the officer executing either of such writs, at any time before the actual sale of property levied upon; the creditor or creditors making the claim shall at the same time give notice in writing to the creditor or creditors at whose instance the property has been levied upon, or his or their attorney, of their said claim or claims, and the amount thereof duly certified and sworn to by such claimant or claimants; a copy of said notice shall also be served upon the debtor, if he be found within the county where the property levied upon is situated: *Provided*, That if the debtor cannot be found within the county where the property levied upon is situated, then said notice may be served upon the officer executing either of such writs in lieu of said debtor. Upon the filing in the court where the action or actions against the debtor is, or are pending, of an affidavit of the claimant or claimants, showing his or their compliance with the foregoing provisions of this section, the officer executing either of said writs shall pay to such miners, mechanics, salesman, servants, clerks or laborers, out of the proceeds of the sale, the amount each is justly and legally entitled to receive for services rendered, within ninety days next preceding the levy of the writ of execution, attachment, or other writ, not exceeding two hundred dollars in gold coin of the United States: *Provided*, That either the creditor or debtor may dispute the claim of any person seeking and claiming preference under this section, and in such case the party or parties disputing such claim shall serve a written notice that they dispute such claim upon the claimant or claimants, and upon the officer executing such writs, within five days from the time of service upon such creditor or debtor of the notice of the claim by the claimant seeking preference, as hereinbefore provided for. Within ten days from the time of the service last provided for, the claimant or claimants shall commence an action in any court of competent jurisdiction against the debtor, and the person or persons disputing his or their claim, or claims, for the recovery thereof, and shall prosecute such action with due diligence, or be forever barred from any claim of priority payment thereof; but in case action is rendered necessary by the act as aforesaid, by either debtor or creditor, and judgment shall be had for said claim, or any part thereof, carrying costs, the costs attending the prosecution of said action, and legally taxable therein, shall likewise be a preferred claim, with the same rank as the original claim: *And provided further*, If the amount of assets, after deducting costs of levy and sale, shall not be adequate to the payment of all the preferred claims of this class, they shall be paid pro rata out of the money hereby made applicable thereto: *And provided further*, That nothing in this act contained shall be construed to affect any homestead claims, mortgage, or lien of any description, created and existing before the claim of such laborer accrued.

CHAPTER 22.—*Importation of persons bound to involuntary servitude prohibited.*

Preamble.—WHEREAS, all Chinese who come to this coast arrive here under a contract to labor for a term of years, and are bound by such contract, not only by the superstitions of their peculiar religions, but by leaving their blood relations, fathers, mothers, sisters, brothers, or cousins, as hostages in China for the fulfillment of their part of the contract; and, whereas, such slave labor and involuntary servitude is opposed to the genius of our institutions, opposed to the prevailing spirit of the age, as well as to humanity and Christianity, and degrades the dignity of labor, which is the foundation of republican institutions; and, whereas, section 17 of article one of the constitution of the state of Nevada reads as follows: "Neither slavery, nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state;" Therefore,

The people of the state of Nevada * * * do enact as follows:

SECTION 4764. The immigration to this state of all slaves and other people bound by contract to involuntary servitude for a term of years, is hereby prohibited.

SECTION 4765. It shall be unlawful for any company, person or persons, to collect the wages or compensation for the labor of the persons described in the first section of this act.

SECTION 4766. It shall be unlawful for any corporation, company, person or persons, to pay to any owner, or agent of the owner of any such persons men-

tioned in section 1 of this act, any wages or compensation for the labor of such slaves, or persons so bound by said contract to involuntary servitude.

SECTION 4767. Any violation of any of the provisions of this act shall be deemed a misdemeanor, and shall be punished by a fine of not less than three hundred dollars, nor more than one thousand dollars, or by imprisonment in the county jail for a term of not less than three months or more than six months, or by both such fine and imprisonment.

CHAPTER 23.—*Employment, etc., of Chinese.*

SECTION 4947. From and after the passage of this act, no Chinaman or Mongolian shall be employed, directly or indirectly, in any capacity, on any public works, or in or about any buildings or institutions, or grounds, under the control of this State.

SECTION 4948. Hereafter no right of way or charter, or other privileges for the construction of any public works by any railroad or other corporation or association shall be granted to such corporation or association, except upon the express condition that no Mongolian or Chinese shall be employed on or about the construction of such work in any capacity.

SECTION 4949. Any violation of the conditions of this act shall work a forfeiture of all rights, privileges, and franchise granted to such corporation or association.

ACTS OF 1887.

CHAPTER 91.—*Convict labor.*

SECTION 1. The prisoners employed in said shop [boot and shoe shop of the Nevada state prison] shall make all the boots and shoes required to be used by the prisoners in the state prison, and the managers of other state institutions shall be supplied with boots and shoes from said shop for the use of such wards of the state as they may have under their charge, at prices not to exceed the rates now charged by the warden of the state prison for such goods. The surplus product of said shop, if any, may be offered for sale in the open market at prices to be fixed by the warden: *Provided*, Said prices shall never be less than the cost of the material: *And provided further*, That no such manufactured goods shall be disposed of in open market except by wholesale in full cases and unbroken packages of not less than one dozen pairs of boots or shoes each. No such goods shall be furnished by the warden, the deputy warden, or by any other person, in any way, to any person not entitled to receive the same under the provisions of this act. * * *

NEW HAMPSHIRE.

GENERAL LAWS OF 1878.

CHAPTER 53.—*Exemption from taxation.*

SECTION 6. Personal estate liable to be taxed is—

* * * * * * *

VI. * * *; wood, timber, logs, and lumber, manufactured, or otherwise, if exceeding fifty dollars in value, * * *.

VII. Carriages, if exceeding fifty dollars in value.

* * * * * * *

X. Sheep and hogs over six months old; but two such hogs to each family shall be exempt from taxation.

CHAPTER 58.—*Exemption from distress for unpaid taxes.*

SECTION 4. Upon neglect or refusal of any person or corporation to pay the taxes assessed on them, the collector may distrain the goods and chattels of such person or corporation.

SECTION 5. No distress shall be made of any person's tools or implements necessary for his trade or occupation, nor of his arms, or utensils of household necessary for upholding life, nor of bedding or apparel necessary for him or his family.

CHAPTER 91.—*Employment of children.*

SECTION 11, (as amended by chapter 56, acts of 1881). No child under sixteen years of age shall be employed in any manufacturing establishment, unless he has attended some public school, or private day school where instruction was given by a teacher competent to instruct in the branches taught in common schools, at least twelve weeks during the year preceding; and no child under said age shall be so employed, except in vacation of the school in the district in which he resides, who can not write legibly and read fluently in readers of the grade usually classed as third readers.

SECTION 12, (as amended by chapter 56, acts of 1881). No child under the age of fourteen years shall be employed as aforesaid unless he has attended school as aforesaid at least six months during the year preceding, or has attended the school of the district in which he dwelt the whole time it was kept during such year; and no child under twelve years of age shall be so employed unless he has attended the school of the district in which he dwelt the whole time it was kept during the year preceding.

SECTION 13, (as amended by chapter 56, acts of 1881). The owner, agent, or superintendent of any manufacturing establishment, or any person connected therewith, who shall employ in such establishment any child under the age of sixteen years, without having a certificate signed by a majority of the school committee of the town or city in which the child resides, or by such person or persons as they may designate for that purpose, that such child has attended school, as required by sections eleven and twelve of this chapter, shall be fined not exceeding twenty dollars for each offense.

CHAPTER 138.—*Exemption from execution, etc.—Homesteads.*

SECTION 1. The wife, widow, and children of every person who is owner of a homestead, or of any interest therein, occupied by himself or herself and his or her family, shall be entitled to so much of said homestead or interest as shall not exceed in value five hundred dollars, as against the creditors, grantees, and heirs of such person, for and during the life of such wife or widow and the minority of such children. Upon the death of the wife, leaving no children under twenty-one years of age, and whenever the children named in this section shall arrive at the age of twenty-one years, the mother being dead, the homestead exemption mentioned in this section shall be exempted to the husband, if living.

* * * * * * *

SECTION 6. And in case an unmarried person is the owner or occupant of a homestead, such homestead, to the value aforesaid, shall be exempt to such person.

* * * * * * *

SECTION 23. These provisions shall not apply to any * * * claim for labor less than one hundred dollars, nor to any lien of any mechanic or other person for any debt contracted for or in aid of the erection of the buildings, * * *.

CHAPTER 183.—*Earnings of married women.*

SECTION 1. Every woman shall hold to her own use, free from the interference or control of any husband she may have, all property at any time earned, * * * either before or after marriage, if such earning, * * * were not occasioned by payment or pledge of the property of the husband.

CHAPTER 187.—*Hours of labor.*

SECTION 14. In all contracts for or relating to labor, ten hours of actual labor shall be taken to be a day's work, unless otherwise agreed by the parties: and no person shall be required or holden to perform more than ten hours' labor in a day, except in pursuance of an express contract requiring a greater time.

CHAPTER 187.—*Employment, hours of labor, etc., of children.*

SECTION 15. No minor under the age of fifteen years shall be employed in any manufacturing establishment more than ten hours in a day, in any labor, without the written consent of the parent or guardian of such minor first obtained.

If any manufacturer or any corporation, or the agent of any manufacturer or corporation, shall employ any such minor in violation of the provisions of this section, he or they shall be fined not exceeding one hundred dollars.

CHAPTER 224.—*Exemption from execution, etc.—Personal property.*

SECTION 2. The following goods and property are exempted from attachment and execution:

I. The wearing apparel necessary for the use of the debtor and his family.

II. Comfortable beds, bedsteads, and bedding necessary for the debtor, his wife and children.

III. Household furniture to the value of one hundred dollars.

IV. One cooking stove and the necessary furniture belonging to the same.

V. One sewing machine, kept for use by the debtor or his family.

VI. Provisions and fuel to the value of fifty dollars.

VII. The uniform, arms, and equipments of every officer and private in the militia.

VIII. The Bibles, school books, and library of any debtor used by him or his family, to the value of two hundred dollars.

IX. Tools of his occupation to the value of one hundred dollars.

X. One hog and one pig, and the pork of the same when slaughtered.

XI. Six sheep and the fleeces of the same.

XII. One cow; a yoke of oxen or a horse, when required for farming or teaming purposes, or other actual use; and hay not exceeding four tons.

XIII. The debtor's interest in one pew in any meeting-house in which he or his family usually worship.

XIV. The debtor's interest in one lot or right of burial in any cemetery.

CHAPTER 249.—*Exemption from garnishment—Earnings of wife and children.*

SECTION 40. No trustee shall be charged on account of the personal services and earnings of the wife or minor children of the defendant; nor on account of labor performed by the defendant after the service of the writ on the trustee; when the trustee is sought to be charged for the labor of the defendant, in a suit founded on a claim other than for necessaries furnished the defendant or any of his family, there shall be reserved for the defendant the wages for such labor performed before such service of the writ to the amount of twenty dollars.

CHAPTER 249.—*Assignment of future earnings.*

SECTION 48. No assignment of, or order for, wages to be earned in the future shall be valid against any creditor of the person making such assignment or order until a copy of such order or assignment, duly accepted in writing on the back thereof, has been filed with the clerk of the town or city where the party making such order or assignment lives, and the clerks of the several towns and cities shall keep for public inspection an alphabetical list of all such orders and assignments filed with them.

CHAPTER 269.—*Protection of laborers from insult, etc.*

SECTION 1, (as amended by chapter 76, acts of 1885). * * * . Nor shall any person address to any person passing along any street to, from, or about his lawful business or occupation, any offensive, derisive, or annoying word or words, or call such person by any derisive or offensive name; nor shall any person make any noise or exclamation in the presence and hearing of such person so passing, with intent to deride, offend, or annoy such person, or to prevent him from pursuing and engaging in his lawful business or occupation.

CHAPTER 269.—*Certain employments of children forbidden.*

SECTION 24. Any person who shall employ or exhibit, or who shall sell, apprentice, or give away for the purpose of employing or exhibiting, any child under the age of fourteen years in or for the vocation, occupation, service, or purpose of dancing, playing on musical instruments, singing, walking on a wire or rope, or riding or performing as a gymnast, contortionist, or acrobat in any

circus or theatrical exhibition, or in any public place whatsoever, or who shall cause, procure, or encourage any such child to engage therein, shall be punished by a fine not exceeding one hundred dollars: *Provided, however*, That nothing in this act shall be construed to prevent the education of children in vocal and instrumental music, or their employment as musicians in any church, chapel, or school, or school exhibition, or prevent their taking part in any concert or musical exhibition.

CHAPTER 273.—*Sunday labor.*

SECTION 3. No person shall do any work, business, or labor of his secular calling, to the disturbance of others, works of necessity and mercy excepted, on the first day of the week, commonly called the Lord's Day; nor shall any person use any play, game or recreation on that day or any part thereof.

SECTION 5. Any person offending against * * * the preceding section shall forfeit a sum not exceeding six dollars, which shall be recovered by any selectman or police officer for the use of the town.

SECTION 10, (as amended by chapter 95, acts of 1883). No person shall keep open his shop, warehouse, cellar, restaurant, or workshop, for the reception of company, or shall sell or expose for sale any merchandise whatsoever on the first day of the week, commonly called the Lord's Day; but this section shall not be construed to prevent the entertainment of boarders, or the sale of milk, bread, and other necessaries of life, or drugs and medicines.

[*Note.*—The following additional legislation upon the above subject was enacted by chapter 93, acts of 1883:]

SECTION 1. Section 3 of said chapter shall not be construed to prevent necessary repairs in mills and factories, which could not be made on a week day without throwing many operatives out of employment.

CHAPTER 285.—*Convict labor.*

SECTION 14. The sheriff of any county may, with the approval of the county commissioners, employ and set to labor any prisoner confined in the county jail, in such manner as shall be consistent with the safe-keeping of such prisoner, provided said labor can be prosecuted without expense to the county.

ACTS OF 1881.

CHAPTER 42.—*Employment of children.*

SECTION 1. The superintending school committees and boards of education in the several towns and cities of the state are hereby authorized to elect truant officers for said towns and cities, and to fix their compensation at a reasonable rate, which compensation shall be paid by the respective towns and cities.

SECTION 4. Said truant officers shall, also, if required by said committees, enforce the laws in regard to children employed in manufacturing establishments, without attending school as required, and shall perform such service in that behalf as may be required by said committees.

CHAPTER 104.—*Erection of bridge-guards by railroads.*

SECTION 1. Every railroad corporation shall erect and maintain suitable bridge-guards at every bridge or other structure, any portion of which crosses the railroad less than eighteen feet above the track, such guards to be approved by the board of railroad commissioners, and to be erected and adjusted to their satisfaction. Any corporation which refuses or neglects to comply with the provisions of this act shall for each month of continuance in such neglect or refusal forfeit the sum of fifty dollars; and whoever shall wilfully destroy or break any such bridge-guard shall forfeit a sum not exceeding one hundred dollars, and be liable to imprisonment not exceeding thirty days.

ACTS OF 1883.

CHAPTER 3.—*Exemption from execution, etc.—Domestic fowl.*

SECTION 1. Domestic fowl, not exceeding fifty dollars in value, shall be and are hereby exempt from attachment and execution.

CHAPTER 94.—*Construction of factories, etc., and fire escapes.*

SECTION 1. That the board of mayor and aldermen of each city, and the selectmen of every town, shall have power to superintend and direct, by themselves or inspectors appointed for that purpose, the construction of all buildings hereafter erected within the respective cities and towns, to be used for factories, hotels, tenement-houses, * * * and shall require them to be so erected as to afford ample facility for entrance and exit on all occasions, suitably provided with means of escape in case of fire, and also that they be erected with reference to the health and safety of the persons who may reside in or visit them.

SECTION 2. The said board of mayor and aldermen, and the said selectmen, shall have power to examine all buildings already erected, or which shall be built hereafter, in their respective cities and towns, used for the purposes named in the preceding section, and if, after hearing the parties interested, in the opinion of such board of mayor and aldermen or such selectmen, any such building is so constructed as to be unsafe, or is so managed as to be unhealthful, or is not provided with suitable fire escapes, the board of mayor and aldermen or the selectmen may order the same to be closed until such alterations are made as the board of selectmen shall prescribe. The proceedings of any hearing and orders thereon shall be entered in the records of such city or town.

SECTION 3. Every person who shall let or use any building for the purposes in this act specified, after such building shall have been ordered to be closed as provided in the preceding section, shall be punished by fine not exceeding one hundred dollars, for the use of the city or town where such building is situated.

SECTION 4. The board of engineers of every city, and the fire wards of every town, shall for the purposes of this act be deemed inspectors of buildings, unless otherwise provided by such cities or towns; and every building by them designated as requiring examination shall be examined within ten days by such board of mayor and aldermen or said selectmen, as provided in section 2.

SECTION 5. The several cities shall have power to pass such ordinances, and the several towns may make such regulations, as they may respectively deem proper to carry into effect the powers herein granted, and may alter or repeal the same at their pleasure.

SECTION 6. Every person who shall be aggrieved by the action of the board of mayor and aldermen or the selectmen ordering any such building to be closed, may appeal to the supreme court, any justice of which may inquire into the facts by a committee or otherwise, at such time and place as he shall appoint, of which he shall give reasonable notice to the parties in interest, and upon such hearing said justice may overrule or affirm the order appealed from, and may pass such further orders in the premises as he may deem proper.

ACTS OF 1885.

CHAPTER 30.—*Conditional sale of personal property.*

SECTION 1, (as amended by chapter 29, acts of 1887). No lien reserved on personal property sold conditionally and passing into the hands of the conditional purchaser shall be valid against attaching creditors or subsequent purchasers without notice, unless the vender of such property takes a written memorandum, signed by the purchaser, witnessing such lien, and the sum due thereon, and causes it to be recorded in the town clerk's office of the town where the purchaser of such property resides, if he resides in this state, otherwise in the town clerk's office of the town where the vender resides. If such record is made within twenty days after such property is delivered, the lien reserved shall be valid against attaching creditors and purchasers. If such record is made at any time after the expiration of said twenty days, the lien reserved shall be valid against such attaching creditors and purchasers only as are subsequent to such record.

SECTION 2. Each vendor and purchaser shall make and subscribe an affidavit in substance as follows: "We severally swear that the foregoing memorandum is made for the purpose of witnessing the lien and the sum due thereon, as specified in said memorandum, and for no other purpose whatever, and that said lien and the sum due thereon were not created for the purpose of enabling the purchaser to execute said memorandum, but said lien is a just lien, and the sum stated to be due thereon is honestly due thereon and owing from the purchaser to the vendor."

SECTION 3. When copartners are parties to such a memorandum, or when a corporation is a party thereto, the affidavit may be made and subscribed as it is by law provided that the affidavit required in the case of mortgages of personal property may be made and subscribed.

CHAPTER 85.—*Wages preferred—In assignments.*

SECTION 17. Wages due to any operative, clerk, house servant, or other laborer, to an amount not exceeding fifty dollars, for labor performed within six months previous to the commencement of proceedings under this act ["in relation to assignments"] shall be paid in full.

ACTS OF 1887.

CHAPTER 25.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. No minor under eighteen years of age and no woman shall be employed in laboring in any manufacturing or mechanical establishment in this state more than ten hours in any one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty in a week.

SECTION 2. Every employer shall post in a conspicuous place in every room where such persons are employed a notice printed in plain large type, stating the number of hours' work required of them each day of the week, the exact time for commencing work in the morning, stopping at noon for dinner, commencing after dinner, and stopping at night, and the employment of any such person for a longer time in any day than that so stated in said notice shall be deemed a violation of section 1 of this act, unless it appears that such employment is to make up for time lost on some previous day of the same week, in consequence of the stopping of machinery upon which such person was employed or dependent for employment. If any minor under eighteen years of age or any woman shall, without the orders, consent, or knowledge of the employer, or of any superintendent, overseer, or other agent of the employer, labor in the manufacturing or mechanical establishment outside the hours of labor required in such establishment, according to the notice above mentioned, and if a copy of such notice was posted in a conspicuous place in the room where such labor took place, then neither the employer nor any superintendent, overseer, or other agent of the employer shall be held responsible for such employment.

SECTION 3. Whoever, either for himself or as superintendent, overseer, or agent of another, employs or has in his employment any person in violation of the provisions of section 1, and every parent or guardian who permits any minor to be so employed, shall be punished by a fine of not less than twenty-five nor more than fifty dollars for each offense. A certificate of the age of a minor made by him and by his parents or guardian at the time of his employment shall be conclusive evidence of his age on behalf of the hirer, upon any prosecution for a violation of the provisions of section 1. Whoever falsely makes and utters such a certificate with an intention to evade the provisions of this act shall be subject to a fine of twenty-five dollars or imprisonment for thirty days, or both.

SECTION 4. No child under thirteen years of age shall be employed in any manufacturing or mechanical establishment in this state. Whoever, either for himself or as superintendent, overseer, or agent of another, employs or has in his employment any child in violation of the provision of this section, and every parent or guardian who permits any child to be so employed, shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

CHAPTER 26.—*Payment of wages.*

SECTION 1. Every manufacturing, mining, quarrying, stone-cutting, mercantile, horse-railroad, telegraph, telephone, and municipal corporation, and every incorporated express and water company doing business in this state, having in their employ more than ten persons, shall pay weekly or tender such pay by posting a printed notice in a conspicuous place in the office of the corporation, to each and every employé engaged in its business, the wages earned by such employé to within eight days of the date of said payment: *Provided, however*, That if at any time of payment any employé shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter on demand.

SECTION 2. Any corporation violating any of the provisions of this act shall be punished by a fine of not less than ten nor more than twenty-five dollars on

each complaint under which it is convicted provided complaint for such violation is made within thirty days from the date thereof.

SECTION 3. When any corporation against which a complaint is made under this act fails to appear after being duly served with process, its default shall be recorded, the allegations in the complaint taken to be true, and judgment rendered accordingly.

SECTION 4. The provisions of this act shall not apply to municipal officers whose services are paid for by the day, or to teachers employed by municipal corporations.

CHAPTER 54.—*Intimidation, etc., of employers and employés.*

SECTION 1. Any person who interferes in any way whatever to injure or damage any other person or persons in their person or property while engaged in their lawful business, trade, or occupation, or in the way to or from such business, trade, or occupation, or endeavors to prevent persons from engaging in their lawful business, trade, or calling, shall be subject to a fine of not more than five hundred dollars or imprisonment not exceeding one year.

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Wages preferred—In assignments.

(Page 38.)

SECTION 8. At the first term of * * * [the orphans'] court succeeding the expiration of the time fixed for filing the list of creditors, and of giving notice to creditors as aforesaid, should there be no exceptions made to the claim of any creditor, or if exceptions have been made and adjudicated, or settled by said court, the said assignee or assignees shall then proceed to make from time to time, fair and equal dividends among said creditors, of the assets which shall come to hand, in proportion to their claims; and as soon as may be, and not exceeding one year thereafter, shall render, on oath or affirmation, a final account to the orphans' court of said county, in like manner and upon the same notice to creditors and others interested, as is now or may hereafter be directed in regard to executors and administrators; and exceptions may, in like manner, be filed to such accounts and proceeded in as prescribed in regard to executors and administrators, and the settlement and decree of said court shall be conclusive on all parties, except for assets which may afterwards come to hand, or for frauds or apparent errors, provided that the wages of clerks, minors, mechanics and laborers, due at the time of making such assignment, from the person or persons making the same, shall be preferred debts, and shall be first paid by said assignee before any other claim or debt shall be paid: *And provided further*, That no payment shall be made as a preferred debt to any one person to an amount exceeding three hundred dollars.

Exemption from attachment.

(Page 44.)

SECTION 12. The personal property of a non-resident of this state, being in this state, shall not be liable to attachment at the suit of a non-resident creditor, when the said property is exempt by law of the state of which the said debtor and creditor are residents.

Wages preferred—In insolvency.

(Page 188.)

SECTION 63, (as amended by chapter 71, acts of 1887). In case of the insolvency of any corporation, the laborers then or theretofore in the employ thereof, shall have a lien upon the assets thereof, for the amount due to them respectively, which shall be paid prior to any other debt or debts of said company; and the word "laborers" shall be construed to include all persons doing

labor or service of whatever character for or as workmen or employés, in the employ of such corporations; and the lien shall have reference to and comprise all claims for such labor or services rendered for or in behalf of such corporations before the date which the court adjudges to be the time when the insolvency occurred which gives it jurisdiction whether such "laborers" were in the actual employ of such corporation at that time or not.

Conspiracy.

(Page 261.)

SECTION 191, (as amended by section 9, page 1296, revision of 1877, and section 43, page 199, supplement of 1886). If two or more persons shall combine, unite, confederate, conspire or bind themselves by oath, covenant, agreement or other alliance to commit any crime, * * * or to cheat and defraud any person of any property by any means which are in themselves criminal, or to cheat and defraud any person of any property by any means which, if executed, would amount to a cheat * * * or to commit any act for the perversion or obstruction of justice, or the due administration of the laws, they shall, on conviction, be deemed guilty of a conspiracy, and shall be punished by imprisonment at hard labor not exceeding two years, or by a fine not exceeding five hundred dollars, or both; but no agreement to commit any crime other than murder, manslaughter, sodomy, rape, arson, burglary or robbery, shall be deemed a conspiracy, unless some act in execution of such agreement be done to effect the object thereof by one or more of the parties to such agreement: *Provided*, That nothing in this section shall be construed to apply to any person or persons lawfully and by peaceful means persuading, advising or encouraging other persons to enter into any combination for or against leaving or entering into the employment of other persons.

Exemption from distress for rent.

(Page 313.)

SECTION 24. Goods and chattels of every kind, not exceeding in value (exclusive of wearing apparel) the sum of two hundred dollars, and all wearing apparel the property of any tenant having a family residing in this state, shall be reserved, as well after as before the death of such tenant, for the use of his family, and shall not be liable to be sold as, or for, a distress for rent, by force of this act or of any usage or law of this state; * * * from the inventory of goods * * * such tenant, or in his absence, his agent, attorney, or any member of his family, may select articles, the value of which, according to [the] * * * appraisement, shall not exceed two hundred dollars; and if such tenant, or a member of his family, his agent or attorney, can not readily be found, such selection may be made by said appraisers; and the goods so selected shall be left for the use of the family of said tenant.

SECTION 26. * * * [The above provision] shall apply to the case of undertenants.

Hours of labor on election days.

(Page 308.)

SECTION 177. Eight hours shall constitute a day's labor on any day whereon any general or municipal election shall be held.

Industrial schools.

(Page 375, Supplement of 1886.)

WHEREAS, the establishment of well conducted and liberally supported schools for the education and training of pupils in industrial and mechanical pursuits must tend to supply a growing want in our community of skilled mechanics, artisans and agriculturists; and

WHEREAS, it is especially the duty of the state to afford good educational facilities to its youth in those technical studies which are directly associated with the material prosperity of its people; therefore,

SECTION 1. That whenever any board of education, school committee or other like body of any city, town or township in this state shall certify to the governor that a sum of money not less than three thousand dollars has been contributed by voluntary subscriptions of citizens or otherwise, as hereinafter authorized, for the establishment in any such city, town or township of a school or schools for industrial education, it shall be the duty of the said governor to cause to be drawn, by warrant of the comptroller, approved by himself, out of any moneys in the state treasury not otherwise appropriated, an amount equal to that contributed by the particular locality as aforesaid for the said object; and when any such school or schools shall have been established in any locality as aforesaid, there shall be annually contributed by the state, in manner aforesaid, for the maintenance and support thereof, a sum of money equal to that contributed each year in said locality for such purpose: *Provided, however*, That the moneys contributed by the state, as aforesaid, to any locality, shall not exceed, in any one year, the sum of five thousand dollars.

SECTION 2. That all moneys raised and contributed as aforesaid shall be applied under the direction of a board of trustees, organized as hereinafter provided, to the establishment and support of schools for the training and education of pupils in industrial pursuits (including agriculture), so as to enable them to perfect themselves in the several branches of industry which require technical instruction.

Exemption from execution, etc.—Personal property.

(Page 391.)

SECTION 10, (as amended by section 4, page 291, supplement of 1886). Goods and chattels, shares of stock or interest in any corporation, and personal property of every kind, not exceeding in value (exclusive of wearing apparel) the sum of two hundred dollars, and all wearing apparel the property of any debtor having a family residing in this state, shall be reserved, as well after as before the death of the debtor, for the use of his family, and shall not be liable to be seized or taken by virtue of any execution or civil process whatever, issued out of any court of this state * * *: *Provided*, That nothing herein contained shall be deemed or held to protect from sale, under execution or other process, any goods, chattels or property, for the purchase whereof the debt or demand for which the judgment on which such execution or process was issued, shall have been contracted; or to apply to process issued for the collection of taxes.

Gaslight companies—Liability of stockholders for debts due employés.

(Page 462.)

SECTION 16. The stockholders of any [gaslight] company organized under the provisions of this act, shall be jointly and severally individually liable for debts that may be due and owing to all their laborers, servants and apprentices for services performed for such corporation.

Employment, hours of labor, etc., of children.

(Page 485.)

SECTION 17. Labor performed during a period of ten hours, on any day, in all cotton, woolen, silk, paper, glass, and flax factories, and in manufactories of iron and brass, shall be considered a legal day's labor.

SECTION 18. No minor engaged in any factory, shall be holden or required to work more than ten hours on any day, or sixty hours in any week; and that hereafter no minor shall be admitted as a worker under the age of ten years in any factory within this state; that if any owner of, or employer in any factory shall knowingly employ any such minor, or shall require any minor over the age of ten years to work more than ten hours on any day, or sixty hours in any week, he shall be adjudged to pay a penalty of fifty dollars for each offence, to be sued for and recovered, in an action of debt, in the name of the overseer of the poor of the township in which such minor may be employed, together with costs of suit, and for the benefit of such minor.

SECTION 19. The word factory, wherever it occurs * * * shall be construed to mean any building in which labor is employed to fabricate goods, wares, or utensils.

SECTION 20. No owner of or employer in any factory shall be adjudged or liable to pay any penalty * * * for employing any minor over the age of sixteen, for the work done or to be done in said factory, and allowing such minor to work under such employment exceeding the time mentioned * * *; but in no case shall any minor be employed at an age less than that prescribed by said act: *And provided*, That no such employment shall be compulsory, and the minor or the parent or guardian of such minor may at any time, by giving the customary notice prescribed in such factory, end such employment or any contract in relation thereto different from that permitted by this act * * *.

Earnings of married women.

(Page 637.)

SECTION 4. The wages and earnings of any married woman, acquired or gained by her * * * in any employment, occupation, or trade in which she is employed, and which she carries on separately from her husband, and all investments of such wages, earnings, money, or property, shall be her sole and separate property, as though she were a single woman.

Wages preferred—In executions, attachments, etc.

(Page 749.)

SECTION 1. No goods, chattels, or personal property whatsoever, being in this State, and belonging to any manufacturer or other person or persons, or to any corporation, shall be liable to be removed by virtue of any execution, attachment, or other process, unless the party by whom or at whose suit the said execution, attachment, or other process was issued or sued out, shall first pay or cause to be paid to the operatives, mechanics and other employés employed by such manufacturer, person, persons, or corporation, the wages then owing from such manufacturer, person, persons, or corporation to the operatives, mechanics and other employés employed by them: *Provided*, The same shall not exceed one month's wages, and in case the sum owing as aforesaid shall exceed one month's wages, then the said party at whose suit such process is sued out, upon paying the said operatives, mechanics and other employés one month's wages, may proceed to execute his process, as he might have done before the passage of this act; and the sheriff or other officer is hereby empowered and required to levy and pay to the plaintiff, as well the money so paid for wages, as the money to be made by virtue of such process.

SECTION 2. If the sheriff or other officer shall, by virtue of any execution, attachment, or other process, remove from the possession or premises of any person, persons, or corporation against whom such process may be issued, any goods, chattels, or personal property, without first paying to the operatives, mechanics and other employés, of such person, persons, or corporation their wages, to the amount in the preceding section specified, such goods, chattels, or personal property shall not be sold by such sheriff or other officer so taking or removing the same, until ten days after such removal, and then not until the plaintiff or party at whose suit such goods or chattels are taken as aforesaid shall, before the sale thereof, pay to the operatives, mechanics and other employés of such person, persons, or corporation against whom such process is issued, the wages due them at the time of such removal: *Provided*, The same shall not in any case exceed one month's wages, and if more than one month's wages is owing to such operatives, mechanics, or other employés, then the party by whom or at whose suit such execution or other process, is issued, by paying one month's wages, may proceed to execute his process and sell such goods or personal property: *Provided*, The persons to whom such wages may be owing shall, before the expiration of said ten days after such removal, give notice to the sheriff or other officer holding such process, of the amount of wages due, and claim the same, which notice may be served by delivering the same to said officer, or leaving a copy thereof at his usual place of abode.

Payment of wages in orders.

(Page 750.)

SECTION 3. It shall not be lawful for any ironmaster, foundry man, collier, factory man, employer, or company, their agents or clerks, to pay the wages of workmen or laborers by them employed, in either printed, written or verbal orders,

except for the payment of money, upon any storekeeper or storekeepers, or other dealers in merchandise or other articles, whether connected in business with the said ironmaster, foundry man, collier, factory man, employer, or company, or not; any ironmaster, foundry man, collier, factory man, employer, or company, paying to the said workman or laborer so as aforesaid by him employed, or authorizing their agent or agents or storekeeper so to do as aforesaid, shall forfeit the amount of said pay or any part of the wages of said workman or laborer given in orders upon any such store, except as aforesaid, or any orders so given or paid, and the same shall not be offset against the wages of said workman or laborer, but he shall be entitled to recover the full amount of his wages as though no such order or orders had been given or paid; and no settlement made with such employer shall bar such action until after the lapse of six months from such settlement.

SECTION 4. The provisions of this act shall extend to all seamstresses or females employed in factories or otherwise.

SECTION 5. This act shall be taken and deemed to be a public act, and take effect on the fourth day of July, eighteen hundred and sixty-four, except in the counties of Morris, Sussex, Somerset, Middlesex, Monmouth, Burlington, Warren, Ocean and Hunterdon, which counties are specially excepted from the provisions of this act; and excepting, also, the county of Essex, in which said county this act shall take effect on the first day of January, eighteen hundred and sixty-five.

Railroads—Disobedience of rules, etc., by employés.

(Page 909.)

SECTION 1. Any engineer, officer, agent, or employé of any railroad company, who in this state, shall willfully or negligently disregard or disobey any rule, regulation, or published order of any said company or companies, in regard to the running of trains, shall be deemed guilty of a misdemeanor, and shall on conviction thereof, be punished by a fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding one year, or both, at the discretion of the court; but nothing in this act contained shall be construed to repeal any acts or parts of acts punishing either of the persons aforesaid in any other manner than that pointed out in this act.

Liability of railroad companies for wages of employés of contractors.

(Page 927.)

SECTION 98. As often as any contractor for the construction of any part of a railroad which is in progress of construction shall be indebted to any laborer for thirty or any less number of days' labor performed in constructing said road, such laborer may give notice of such indebtedness to said company in the manner herein provided; the said company shall thereupon become liable to pay such laborer the amount so due him for such labor, and an action may be maintained against said company therefor; such notice shall be given by such laborer to said company within twenty days after the performance of the number of days' labor for which the claim is made; such notice shall be in writing, and shall state the amount and number of days' labor, and the time when the same was performed for which the claim is made, and the name of the contractor from whom due, and shall be signed by such laborer or his attorney, and shall be served on an engineer, agent, or superintendent employed by such company having charge of the section of the road on which such labor was performed, personally, or by leaving the same at the office or usual place of business of such engineer, agent or superintendent, with some person of suitable age; but no action shall be maintained against any company under the provisions of this section, unless the same is commenced within thirty days after notice is given to the company by such laborer as above provided: *Provided*, That the liability of the company under this section shall not exceed its liability to the contractor: *And provided further*, That any payments made to such laborers shall be a full discharge to the company from such contractor for the amount so paid.

Wages preferred—In payments by receivers.

(Page 943.)

SECTION 160, (as amended by section 42, page 834, supplement of 1886). If any railroad company in this state * * * may hereafter fail or neglect to run daily

trains on any part of its road for the space of ten days, then the chancellor of this state, upon petition of any citizen of this state and due proof of the facts, shall speedily appoint a receiver, which said receiver, by order of the chancellor, shall be and is hereby empowered and required to take possession of all the real and personal property of said company, and to operate said road, and transact the ordinary business thereof in the transportation of freight and passengers, for such time as the chancellor may direct; and all expenses incurred thereby shall be a first lien on all the earnings thereof prior to any other claim, and the surplus, if any, be distributed as the chancellor may direct: *Provided*, That this act shall not apply to any railroad company whose road is constructed at any seaside resort, not exceeding four miles in length, and which was built and intended merely for the transportation of summer travelers and tourists.

SECTION 161. Whenever the chancellor shall appoint a receiver of any railroad company, said receiver shall apply all unincumbered personal effects and all moneys which may be transferred to him at the time of entering upon his duties as such receiver, toward the payment of wages at that time due the employés of said company, and the chancellor may from time to time make such orders as he may deem proper to equitably carry out the provisions of this section: *Provided*, That no such payments shall be made for more than two months' wages.

Strikes of railroad employés.

(Page 946.)

WHEREAS, strikes by locomotive engineers and other railroad employés, and the abandonment by them of their engines and trains at points other than their the schedule destination, endangers the safety of passengers and subjects shippers of freights to great inconvenience, delay and loss: Therefore,

SECTION 173. If any locomotive engineer or other railroad employé upon any railroad within this state, engaged in any strike, or with a view to incite others to such strike, or in furtherance of any combination or preconcerted arrangement with any other person to bring about a strike, shall abandon the locomotive engine in his charge, when attached either to a passenger or freight train, at any place other than the schedule or otherwise appointed destination of such train, or shall refuse or neglect to continue to discharge his duty, or to proceed with said train to the place of destination as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 174. If any locomotive engineer or other railroad employé within this state, for the purpose of furthering the object of or lending aid to any strike or strikes organized or attempted to be maintained on any other railroad, either within or without this state, shall refuse or neglect, in the course of his employment, to aid in the movement over and upon the tracks of the company employing him of the cars of such other railroad company, received therefrom in the course of transit, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 175. If any person, in aid or furtherance of the objects of any strike upon any railroad, shall interfere with molest or obstruct any locomotive engineer or other railroad employé engaged in the discharge and performance of his duty as such, every person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 176. If any person or persons, in aid or furtherance of the objects of any strike, shall obstruct any railroad track within this state, or shall injure or destroy the rolling stock or any other property of any railroad company, or shall take possession of or remove any such property, or shall prevent or attempt to prevent the use thereof by such railroad company or its employés, or shall, by offer of recompense, induce any employé of any railroad company within this state to leave the service of such company while in transit, every such person offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding five hundred dollars, and may be imprisoned not more than one year, at the discretion of the court.

Exemption from execution, etc.—Homesteads.

(Page 1055.)

SECTION 53. In addition to the property now exempt by law from sale under execution, there shall be exempt by law from sale or execution, for debts hereafter contracted, the lot and buildings thereon, occupied as a residence and owned by the debtor, being a householder and having a family, to the value of one thousand dollars: such exemption shall continue after the death of such householder for the benefit of the widow and family, some or one of them continuing to occupy such homestead, until the youngest child shall become twenty-one years of age and until the death of the widow; and no release or waiver of such exemption shall be valid.

Convict labor.

(Page 1117.)

SECTION 4. *Article VII.* * * * Each convict * * * shall every day, except Sundays, be kept, as far as may be consistent with their sex, age, health and ability, strictly at hard labor of some sort in which the work is least liable to be spoiled by ignorance, neglect or obstinacy, and in which the materials can not be easily embezzled or destroyed; if the work to be done requires previous instruction or constant oversight of the convict, the keeper shall, with the approbation of the board of inspectors, employ suitable persons for the purpose and a just compensation, fixed by said board, shall be paid them * * *; in order to encourage industrious and proper habits, a separate account shall be opened and kept in books provided for that purpose for each convict, in which he shall be credited with the amount of labor performed by him, and above what, in the opinion of the keeper and acting inspectors, he ought to perform, due regard being had to his ability for labor; which sums so credited shall, at the discharge of such convict, be paid to him or laid out in decent raiment for him, or otherwise applied to his use, as the acting inspectors shall direct; but no credit shall be given for overwork to any convict whose whole weekly earnings do not exceed the whole weekly expense of his maintenance in the prison; * * * nor shall any convict act as clerk, cook or servant in the said prison, except in such manner as is consistent with the principles of separate confinement * * *; the convicts shall be supplied, as far as practicable and consistent with the interests of the state, with articles manufactured by the prisoners; * * * .

Sunday labor.

(Page 1227.)

SECTION 1. No traveling, worldly employment or business, ordinary or servile labor or work either upon land or water (works of necessity and charity excepted) * * * shall be done, performed, used or practiced, by any person or persons within this state, on the Christian Sabbath, or first day of the week, commonly called Sunday; and every person, being of the age of fourteen years or upwards, offending in the premises, shall for every such offence, forfeit and pay * * * the sum of one dollar; and no person shall cry, show forth, or expose to sale, any wares, merchandise, fruit, herbs, meat, fish, goods, or chattels, upon the first day of the week, commonly called Sunday, or sell or barter the same, upon pain that every person so offending shall forfeit and pay * * * the sum of two dollars * * *: *Provided further*, That it shall and may be lawful for any railroad company in this state to run one passenger train each way over their roads on Sunday, for the accommodation of the citizens of this state.

SECTION 3. If any stage or stages shall be driven through any part of this state on the first day of the week, called Sunday, except sufficient reason shall be offered to show that it be done in cases of necessity or mercy, or in case of carrying the mail to or from any post-office, the driver or drivers, proprietor or proprietors of such stage or stages, shall, on being thereof convicted * * * forfeit and pay the sum of eight dollars for every such offence; * * * .

SECTION 4. No wagoner, carter, drayman, drover, butcher, or any of his or their servants, shall ply or travel with his or their wagons, carts or drays, or shall load or unload any goods, wares, merchandise, or produce, or drive cattle, sheep or swine, in any part of this state, on the first day of the week, called Sunday, under the penalty of two dollars for every offense, * * * .

SECTION 13. No transportation of freight, excepting milk on any public highway, railroad or canal, shall be done or allowed by any person or persons within this state, on the first day of the week, commonly called the Christian Sabbath: *Provided*, That nothing in this act contained shall be construed so as to prevent the transportation of the United States mail by railroad or on the public highways, or to the regular trips of ferryboats within the state or between this and another state.

SECTION 33. Every inhabitant of this state, who religiously observes the seventh day of the week as the Sabbath, shall be exempt from answering to any process, in law or equity, either as defendant, witness, or juror, except in criminal cases; likewise from executing, on the said day, the duties of any post or office to which he may be appointed or commissioned, except when the interest of the state may absolutely require it, and shall also be exempt from working on the highways, and doing any militia duty on that day, except when in actual service.

SECTION 34. If any person, charged with having labored or worked on the first day of the week, commonly called Sunday, shall be brought before a justice of the peace to answer the information and charge thereof, and shall then and there prove, to the satisfaction of said justice, that he or she uniformly keeps the seventh day of the week as the Sabbath, and habitually abstains from following his or her usual occupation or business, and from all recreation, and devotes the day to the exercise of religious worship, then such defendant shall be discharged: *Provided always*, That the work or labor, for which such person is informed against, was done and performed in his or her dwelling-house or workshop, or on his or her premises or plantation, and that such work or labor has not disturbed other persons in the observance of the first day of the week as the Sabbath: *And provided also*, That nothing in this section contained shall be construed to allow any such person to openly expose to sale any goods, wares, merchandise, or other article or thing whatsoever in the line of his or her business or occupation.

Exemption from attachment—Wages.

(Page 1265.)

SECTION 1, (as amended by section 3, page 28, supplement of 1886). The wages, salaries or other compensation for labor, work or services done or rendered within this state, or elsewhere, due to a non-resident employé, shall not be liable to attachment at the suit of a non-resident creditor, or his or her assigns.

Payment of wages in orders.

(Page 1375.)

SECTION 1, (as amended by section 4, page 771, supplement of 1886). It shall not be lawful for any person or corporation in this state to issue, for payment of labor, any order or other paper whatsoever, unless the same purport to be redeemable for its face value at sight in lawful money of the United States, by the person giving or issuing the same: *Provided, however*, Nothing in this act contained shall be held to prevent any employer from making any deduction for money due him from any laborer or employé: *And provided, however*, Nothing in this act contained shall prevent any private individual from giving any orders for goods or merchandise on any store in which such private individual has no interest, directly or indirectly, in the profits or business.

SECTION 2, (as amended by section 3, page 771, supplement of 1886). If any person or corporation shall issue, for payment of labor, any paper, in violation of the first section of this act, he, she or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed five hundred dollars, at the discretion of the court.

SUPPLEMENT OF 1886.

Arbitration of labor disputes.

(Page 21.)

WHEREAS, disputes between workingmen and their employers frequently result in protracted strikes, which cause great loss to both parties and to the community at large, and disturb the amicable relations which ought to exist between labor and capital; and

WHEREAS, it is desirable to provide some legal method for submitting such differences to arbitration, with a view to an honorable, satisfactory and speedy settlement: Therefore—

SECTION 1. That if a majority of the employés in any manufacturing establishment, or in any particular department thereof, shall give notice to their employer or employers, in writing, signed by themselves, that they are dissatisfied with the terms and conditions on which they are employed, or with the wages they are receiving, or with any proposed reduction of their wages or proposed alteration of the terms or conditions on which they are employed, and that they propose to submit the matters complained of to arbitration, and shall name an arbitrator to represent them; and if such employer or employers can not adjust such differences, it shall be the duty of such employer or employers, if they choose to accept this method of compromise; to nominate and appoint, in writing, an arbitrator to represent him or them, and to give notice to said employés of such appointment.

SECTION 2. That the two arbitrators, so as aforesaid, appointed shall forthwith meet and proceed to select a third arbitrator; and the said three arbitrators shall without unnecessary delay notify the employés and the employer or employers of the time and place when and where they will meet to hear arguments on the matters in dispute, which meetings shall be held under such conditions, rules and regulations as the said arbitrators may mutually agree upon; the questions at issue shall be submitted to the arbitrators in writing, and their decision shall be confined to the questions so submitted; either of such arbitrators may administer an oath or affirmation to any person testifying before them, and any person so sworn who shall testify falsely, shall be deemed guilty of perjury; either of the parties to such arbitration may be represented before the arbitrators by counsel, if they so desire, and the arguments may be oral or in writing, as the parties themselves may respectively prefer.

SECTION 3. That the finding of the said arbitrators shall be reduced to writing, and a copy thereof served upon each of the parties to the dispute, or upon their respective representatives, and shall be deemed to be binding upon both parties submitting the matters in dispute to arbitration, and shall take effect from the date of the finding, unless some other time is fixed in the finding for the taking effect thereof.

SECTION 4. That the costs of arbitration shall be fixed and paid as the parties may previously or mutually agree, and if not so agreed upon, they shall be fixed and paid as the arbitrators themselves may decide.

SECTION 5. Whenever any grievance or dispute of any nature shall arise between any employer, joint stock association, company or corporation engaged in manufacturing, and his, their or its employés, it shall be lawful by the mutual consent of the parties to submit the same in writing to a board of arbitrators for hearing and settlement, which board shall be composed of five persons; a majority of said employés, at a meeting duly held for that purpose, shall have the power to designate two persons to act as arbitrators in their behalf, the employer, firm, joint stock association, company or corporation as aforesaid shall have the power to designate two arbitrators, and the said four arbitrators shall designate a fifth person as arbitrator, who shall be the chairman of the board.

SECTION 6. Each arbitrator shall, before he proceeds to the business of the arbitration, take and subscribe an oath or affirmation faithfully and impartially to hear and examine the grievance in dispute or question, and to discharge his duties as such arbitrator according to the best of his skill and understanding, which oath or affirmation shall be taken and subscribed before any officer authorized to administer the same.

SECTION 7. When the said board is ready for the transaction of business, it shall select one of its number to act as secretary, whose duty it shall be, when ordered by the board, to give at least two days notice in writing to the parties to the dispute of the time and place of hearing the same, which notice may be served personally on the parties or by fixing the same to the principal outer door or gate of the establishment of said employer, firm, joint stock association, company or corporation, or where, from any reason, service as aforesaid cannot be had, then the same may be served as said board shall direct.

SECTION 8. It shall be lawful for any justice of the peace, or the clerk of any court of record within the county wherein such board of arbitrators may be, to issue subpœnas for the production of books and papers and for the attendance of witnesses before said board; and if any such witness, when so subpœnaed, shall not appear in accordance with the command of such writ, or, if appearing, shall refuse to be sworn or affirmed and give evidence, he or she, as the case may

be, shall be liable to the same fines and penalties as he or she would be by law for such default or refusal if committed in any court of record in this state.

SECTION 9. The said witnesses shall be examined on oath or affirmation, which oath or affirmation the chairman of said board is hereby empowered to administer; a majority of said board may provide for the examination and investigation of books, documents and accounts pertaining to the matters in dispute and belonging to either party: *Provided*, That the board may unanimously direct that instead of producing books, papers and accounts before the board, an accountant agreed upon by the entire board may be appointed to examine such books, papers and accounts, and such accountant shall be sworn well and truly to examine such books, documents and accounts as may be presented to him, and to report the result of such examination in writing; before such examination the information desired and required by the board shall be plainly stated in writing and presented to said accountant, which statement shall be signed by said board. Attorneys at law or other agents of either party to the dispute shall not be permitted to appear or take part in any of the proceedings of the board, but the same shall be, as far as possible, voluntary.

SECTION 10. Said board may make and enforce rules for the government of itself and the transaction of business before it and fix its sessions and adjournments, and shall hear and examine such witnesses as may be brought before the board, and such other proof as may be given relative to the matter in dispute.

SECTION 11. After the matter in dispute has been fully heard, the said board, or a majority thereof, shall, within five days, render a decision thereon, which decision shall be reduced to writing, signed by the arbitrators agreeing thereto, and shall set forth such details as will clearly show the points considered by said board and the nature of the decision; said decision shall be a final settlement of the matters referred to said arbitrators, and shall be binding and conclusive between the parties; it shall be executed in three parts, one copy of which shall be given to each of the parties to the dispute, and the remaining copy shall be filed in the office of the clerk of the county, there to remain of record.

SECTION 12. When the said board shall have reached a decision and filed their report, as set forth in section eleven of this act, its power shall cease, unless there may be in existence at the time other similar grievances or disputes between the same classes of persons mentioned in section five, and in such case such persons may submit their differences to the said board, which shall have power to act and arbitrate and decide upon the same as fully as if said board was originally created for the settlement of such other difference or differences.

SECTION 13. The members of said board shall not receive any compensation for their services, but the expenses of said board may be met and paid by voluntary subscriptions, which the board is hereby authorized to receive for that purpose.

Co-operative associations.

(Page 138.)

SECTION 1. It shall be lawful for any number of persons, not less than seven, residents in this state, to associate themselves into a society for the purpose of carrying on any lawful mechanical, mining, manufacturing or trading business, or for the purpose of trading and dealing in goods, wares and merchandise or chattels, or for the purpose of buying, selling, settling, owning, leasing and improving real estate and erecting buildings thereon, within this state, upon making and filing a certificate of association, in writing, in manner hereinafter mentioned, and as such shall be deemed to be a corporation, and to possess all the powers incident thereto.

SECTION 2. Such certificate of association shall set forth—

I. The name assumed to designate such society and to be used in its business and dealings, which name shall have the word "co-operative" as a distinguishing part thereof, but shall in no respect be similar to that of any other society organized under this act.

II. The place or places in this state where the business of such society is to be conducted and the location of the principal office of the same.

III. The objects for which the society shall be formed.

IV. The total amount of capital stock of such society, the number of shares into which the same is divided, the par value of each share, the manner in which the instalments on the shares shall be paid, the number of shares subscribed, and the amount actually paid in cash on account of the same.

V. The terms of admission of the members.

VI. Mode of application of profits.

VII. The mode of altering and amending the certificate of association and the by-laws of the society.

SECTION 4. The business of every such society shall be managed and conducted by a board of not less than five directors, who shall respectively be members of said society, and shall be annually elected at such time and place as shall be provided in the by-laws of the society, and one of such directors shall be chosen president and one of them shall be chosen treasurer, and such directors and officers shall hold their respective offices until their successors are duly qualified; and that such society shall also have a secretary and such other officers, agents and factors as may be necessary to carry on its business, and shall choose them in the manner prescribed in the by-laws thereof.

SECTION 9. The capital stock of such society shall be divided into shares the par value of which shall not be more than fifty (50) dollars, and no share shall be issued for less than its par value; and that no certificate of shares shall be issued to any member until the shares are fully paid up.

SECTION 10. No member of such society shall be entitled to more than one vote upon any subject, which vote must be cast in person; and the board of directors shall have power, unless otherwise provided in the by-laws of the society, to fix and regulate the number of shares to be held by any one member.

SECTION 11. Any society incorporated under this act may hold in its corporate name any amount of interest in any other society through which its products are disposed of or its supplies secured: *Provided*, That such interest so held shall not exceed one-third in value of the paid up capital of the society holding said interest.

SECTION 13. Any member or other person having an interest in the fund of any such society, may inspect the books thereof, at all reasonable hours, at the office thereof.

SECTION 14. There shall be such distribution of the profits of such society, among the workmen, purchasers and members, as shall be prescribed in the certificate of association, at such times as therein prescribed, as often at least as once in twelve months: *Provided*, That no such distribution shall be made until a sum equal to five per centum of the net profits shall have been appropriated for a contingent or sinking fund, and that such appropriation shall continue to be made until there shall be accumulated a sum equal to thirty per centum of the capital stock of such society.

Certain employments of children forbidden.

(Page 195.)

SECTION 26. Any person, whether as parent, relative, guardian, employer or otherwise, having in his or her care, custody or control any child or children under the age of twelve years, who shall sell, apprentice, give away, let out, employ, or otherwise dispose of any such child or children to any person, under any name, title or pretense, for the vocation, use, occupation, calling, service or purpose of singing, playing on musical instruments, rope walking, dancing, begging in any public street or highway, or in any mendicant or wandering business whatsoever, and any person who shall take, receive, hire, employ, use or have in custody any such child or children for the purpose above named, or any of them, shall be deemed to be guilty of a misdemeanor, and upon conviction thereof before any court or other competent tribunal, shall be fined in a sum of not less than fifty nor more than two hundred and fifty dollars, or be imprisoned at hard labor in a county jail or penitentiary for a period not less than thirty days nor more than one year, or both such fine and imprisonment, in the discretion of the court.

Seats for female employés.

(Page 360.)

SECTION 147. It shall be the duty of all employers of females in any mercantile business or occupation to provide and maintain suitable seats for the use of such female employés at or beside the counter or workbench where employed, and to permit the use of such seats by such employés to such an extent as may be reasonable for the preservation of their health.

SECTION 148. Any violation of this act by any employer shall be deemed a misdemeanor, and on being thereof convicted shall be punished by a fine not exceeding one hundred dollars, at the discretion of the court.

SECTION 149. Every person or corporation employing female employés in any manufacturing, mechanical or mercantile establishment in this state shall provide suitable seats for the use of the female employés so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SECTION 150. A person or corporation violating any of the provisions of this act shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

Labor day.

(Page 361.)

SECTION 1, (as amended by chapter 114, acts of 1887). The * * * first Monday in September (to be known as labor day), * * * shall be a legal holiday, * * * and no person shall be compelled to labor upon any of said days by any person or corporation.

Seats for horse car drivers.

(Page 371.)

SECTION 35. All horse car passenger railroads in the cities and towns of this State shall provide a proper seat upon the front platform of each car, for the use of the driver on such car when driving the same, under reasonable restrictions by the company operating such car as to the use of the said seat in going up or down grade or otherwise.

SECTION 36. Any such company failing to comply with the requirements of the first section of this act shall be liable to a penalty of twenty-five dollars for each day any car belonging to them shall be in use without such seat, to be recovered in an action of debt before any justice of the peace or district court in the county or city where such railroad may be, by any person suing for the same; one-half of said forfeiture to be paid to the county treasurer of the county where such suit is brought and one-half to the person who shall prosecute the same to effect.

Employment of children in underground mines.

(Page 380.)

SECTION 18. Any person who shall take, receive, hire or employ any child under twelve years of age in any underground works or mine or like place whatsoever, shall be * * * fined not less than ten dollars nor more than fifty dollars.

Bureau of statistics of labor.

(Page 407.)

WHEREAS, as guardians of the public welfare, the state authorities are called upon to consider and in all legitimate ways endeavor to improve the physical, mental and moral condition of the citizens of the state, especially those whose daily toil contributes so largely to the prosperity of manufacturing and other productive industries: Therefore,

SECTION 1. There shall be appointed from this state, on nomination of the governor, to be confirmed by the senate, some suitable person to act as chief of, and who shall constitute a bureau of statistics, with headquarters in the state house * * *.

SECTION 2. The duties of such bureau shall be to collect, assort, systematize and present in annual reports to the legislature, * * * statistical details relating to all departments of labor in the state, especially in its relations to the commercial, industrial, social, educational and sanitary conditions of the laboring classes, and in all suitable and lawful ways foster and enlarge our manufacturing and every other class of productive industry, with the view to their permanent establishment upon a prosperous basis, both to the employer and the employed.

SECTION 3. The said chief shall have power to examine witnesses under oath.

Employment, hours of labor, etc., of children.

(Page 407.)

SECTION 9. * * * no boy under the age of twelve years, nor any girl under fourteen years of age, shall be employed in any factory, workshop, mine or establishment where the manufacture of any goods whatever is carried on.

SECTION 10. * * * no child between the ages of twelve and fifteen years shall be employed in any factory, workshop, mine or establishment where the manufacture of any kinds of goods whatever is carried on, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some well recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child, or his parents or guardian, shall have presented to the manufacturer, merchant or other employer seeking to employ such child, a certificate giving the name of his parents or guardian, the name and number of the schools attended and the number of weeks in attendance, such certificate to be signed by the teacher or teachers of such child; * * *.

SECTION 11. No child or children under the age of fourteen years shall be employed in any factory, workshop, mill or establishment where the manufacture of any kind of goods is carried on, for a longer period than an average of ten hours in a day, or sixty hours in a week.

SECTION 12. The governor shall * * * appoint, with the advice and consent of the senate, some suitable person, who shall be a resident and citizen of this state, as inspector * * *; the said inspector shall be empowered to visit and inspect, at all reasonable hours and as often as practicable, the factories, workshops, mines and other establishments in the state where the manufacture or sale of any kind of goods is carried on, and to report to the governor of this state * * *; it shall also be the duty of said inspector to enforce the provisions of this act and prosecute all violations of the same * * *.

SECTION 15. The title of the inspector * * *, and the deputies hereinafter provided for, shall be respectively "factory and workshop inspector" and "deputy inspectors," and it shall be their duty to enforce the provisions of this act, and all other laws relating to the sanitary condition of factories and workshops, and to the employment, safety, protection and compulsory attendance at school of minors, and to institute all suits or actions in the name of the inspector * * *, but no action shall be begun by any deputy inspector without the written direction of the inspector * * *.

SECTION 17. The inspector and his deputies shall have power to demand a certificate of physical fitness from some regular practicing physician in the case of minors who may seem to them physically unable to work, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate.

SECTION 18. Any parent or guardian, when so required by the inspector, or one of his deputies, shall furnish to such inspector or deputy a certificate from the office of registration of births, or, in the absence of such certificate, an affidavit or affidavits of the age of such minor, and if any one shall knowingly swear falsely in any such affidavit, the person or persons so swearing shall be guilty of perjury, and liable to indictment and punishment accordingly.

SECTION 19. Every manufacturer, merchant or other employer, employing any person contrary to the provisions of this act, or who shall be guilty of any violation hereof, shall be liable to a penalty of fifty dollars for each offense * * *, and any parent or guardian, who knowingly permits the employment of such child or children, shall be liable * * * to a penalty of not more than fifty dollars, as the court shall fix; * * * in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs; an affidavit of the age of any minor, made by its parent or guardian at the time of its employment, shall be conclusive evidence of the age of such minor upon any trial against a manufacturer or employer for the violation of this act, * * * and the inspector or deputy inspector shall be authorized, in case they shall find any minor employed under any false affidavit given as aforesaid, to order and compel such minor to desist from work; the provisions of this act in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit canning establishments.

SECTION 23. The inspector of factories and workshops and his deputies shall be furnished with certificates of authority by the secretary of state, and

they shall produce the same if so requested by any occupier of a factory, mine, workshop or establishment.

SECTION 24. It will be illegal for any one to personate an inspector of factories or forge his certificate of authority.

SECTION 25. It will be illegal for any one to delay the factory inspectors in the exercise of their duties, or conceal or attempt to conceal any child or children from examination by the inspectors.

SECTION 26. Every manufacturer, merchant or other person who shall be guilty of any violation of the provisions of this act, shall be liable to a penalty of fifty dollars for each offense, * * *.

Sale of personal property by receiver to pay wages.

(Page 770.)

SECTION 1. Whenever, in any suits at law or in equity, pending in any of the courts of this state, it shall become necessary or advisable for such court to appoint a receiver to take the charge and possession of the goods, chattels and personal property of any manufacturer, distiller, brewer or producer of any manufactured articles, in whatsoever stage the same may then be, and then being due and unpaid to the mechanics, workmen and laborers employed by such manufacturer and other persons, sole or corporate, producing such manufactured articles, wages for the labor and services by such mechanics and workmen bestowed upon the goods, chattels and personal property thus then taken by such receiver, it shall be the duty of the chancellor, or of the judge appointing such receiver, on being petitioned by such workmen and employés for the payment of such unpaid wages due to them, setting forth the nature and kind of services performed, and of the amount due to such petitioners, to make an order directing a reference to a master in chancery to ascertain and report upon the correctness of the allegations in such petition contained, and of the amount of wages then due and unpaid to such petitioner and petitioners, and thereupon further direct such receiver forthwith to make sale of so much of such personal property as may be necessary to pay such wages to such employés and workmen in preference to any other creditor, and without delay.

Purchasing, etc., claim for wages to receive more than legal interest unlawful.

(Page 771.)

SECTION 5. It shall not be lawful for any person or persons to purchase or have assigned to him or them any pay or wages due, or to become due, to any laborer or employé of any corporation or individual or individuals doing business in this state, for any work or labor to be rendered by such laborer or employé of any such corporation or individual or individuals, upon which such person or persons so purchasing or having assigned to him or them shall directly or indirectly have received, or contracted to receive, from such laborer or employé, more than the legal rate of interest established by the laws of this State upon the amount of such pay or wages due, or to become due, so purchased or assigned.

SECTION 6. Any person or persons violating the [preceding] * * * section of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, at the discretion of the court: *Provided, however*, That this act shall not apply to any assignment of such pay or wages, made for the payment of any goods, wares or merchandise sold to such employé for the full value, or for any professional service rendered to such laborer or employé mentioned in such assignment.

Payment of wages in orders, etc.

(Page 771.)

SECTION 7. It shall not be lawful for any glass manufacturer, ironmaster, foundryman, collier, factoryman, employer, cranberry grower or his agent or company, their agents or clerks, to pay the wages of workmen or employés by them employed in either store goods, merchandise, printed, written, verbal orders, or due bills of any kind.

SECTION 8. Any glass manufacturer, ironmaster, foundryman, collier, factoryman, employer, cranberry grower or his agent, or company paying to the said workmen or employés, or authorizing their clerks or agents to pay the wages, or any part thereof, in either store goods, merchandise, printed, written, verbal orders, or due bills of any kind, except as aforesaid, shall forfeit the amount of said pay or any part of wages of said workman or employé given in store goods, merchandise, printed, written, verbal orders or due bills of any kind, and the same not to offset against the wages of said workman or employés, but he or they shall be entitled to recover the full amount of his or their wages, as though no such store goods, merchandise, printed, written, verbal orders or due bills had been given or paid; and no settlement made with such employer shall bar such action until after a lapse of one year from such settlement.

SECTION 9. The provision of this act shall extend to all seamstresses, females and minors employed in factories and otherwise.

SECTION 10, (as amended by chapter 129, acts of 1888). Any glass manufacturer, ironmaster, foundryman, collier, factoryman, employer or company offending against the provisions of this act, shall be guilty of a misdemeanor and punishable by a fine of not less than ten dollars or more than one hundred dollars for each and every offense, or imprisonment not to exceed the term of thirty days, at the discretion of the court.

Coercion of employés to buy at particular place unlawful.

(Page 772.)

SECTION 12. It shall not be lawful for any manufacturer, firm, company or corporation, their agents, clerks or superintendents, in this state, who own or control a store for the sale of general store goods or merchandise in connection with their manufacturing or other business, to attempt to control their employés or laborers in the purchase of store goods and supplies at the aforesaid store by withholding the payment of wages longer than the usual time of payment, whereby the employé would be compelled to purchase supplies at said manufacturer's, firm's, company's or corporation's store.

SECTION 13. Any manufacturer, firm, company or corporation offending against the provisions of this act, the same shall be a misdemeanor, and on conviction in any court having jurisdiction thereof, shall be fined not to exceed one hundred dollars, with costs of suit, for each offense, to be sued by and for the benefit of any citizen of the state.

Factories and workshops.

(Page 772.)

SECTION 14. Any person or corporation engaged in manufacturing which requires from persons in his or its employ, under penalty of forfeiture of a part of the wages earned by them, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ, unless in case of a general suspension of labor in his or its shop or factory.

SECTION 15, (as amended by chapter 177, acts of 1887). All accidents in workshops, factories or mines, which prevent the injured person or persons from returning to work within two weeks, or which result in death, shall, within twenty-four hours after the expiration of such two weeks, or after the death, as the case may be, be reported by the person in charge of such workshop, factory or mine, to one of the factory inspectors and to the city or district physician, where there is such an officer, which notice may be given by mail.

SECTION 16. The belting, shafting, gearing and drums in all factories and workshops, when so placed as to be dangerous to persons employed therein while engaged in their ordinary duties, shall be securely guarded when practicable; if otherwise, then a notice of its danger shall be conspicuously posted in the factory or workshop.

SECTION 17, (as amended by chapter 177, acts of 1887). No minor or woman shall clean any part of the mill gearing or machinery in any factory or workshop while the same is in motion, or work between the fixed or traversing parts of any machine while it is in motion by the action of steam, water or other mechanical power.

SECTION 18. The openings of all hoistways, hatchways, elevators and well-holes upon every floor of a factory or mercantile or public building shall be pro-

tected by good and sufficient trap-doors, or self-closing hatches and safety catches, or strong guard-rails at least three feet high, and all due diligence shall be used to keep such trap-doors closed at all times except when in actual use by the occupant of the building having the use and control of the same.

SECTION 19. No explosive or inflammable compound shall be used in any factory in such place or manner as to obstruct or render hazardous the egress of operatives in case of fire.

SECTION 20. No minor, under the age of sixteen, shall be employed in any manufacturing, mercantile or mechanical establishment more than ten hours a day or sixty hours a week.*

SECTION 21. Suitable places shall be provided in all factories and workshops where girls or women are employed, where unclean work of any kind has to be performed, for such girls and women to wash and dress, and that stairs in use by female employés in all factories and workshops be properly screened.

SECTION 22. Separate water-closets [shall] be provided for the use of employés of either sex in all manufacturing, mercantile and mechanical establishments where persons of both sexes are employed.

SECTION 23. Where the factories or workshops appear so overcrowded that, in the opinion of the inspector of factories, there is danger to health, the inspectors shall have power, after being supported in their opinion by some reputable resident physician, to prohibit such overcrowding.

SECTION 24. The inspectors of factories shall have power to order a fan, or other mechanical means of proper construction, if practicable, for the purpose of preventing the inhalation of dust in establishments where any process is carried on by which dust is generated and inhaled by the workers to an injurious extent.

SECTION 25. All factories and mines [shall] be ventilated so as to render harmless all impurities as near as may be.

SECTION 26. No cellar, room or place shall be occupied as a bake-house which is less than one-half of its height above the level of the street, footway or ground adjoining the same, unless the following regulations are complied with: First, no water-closet, earth-closet, privy or ash-pit shall be within or communicate directly with the bake-house; second, no drain or pipe for carrying off sewage or other impure matter shall have an opening within a bake-house, unless such drain or pipe be trapped with a six-inch water seal, both within and without the wall of the bake-house, and have a ventilating pipe of one-half the size of drain pipe between the wall and the outer trap, and which ventilating pipe shall run two feet above the roof of building.

SECTION 27. The sleeping-places for workmen and others employed in bake-houses shall be separate and distinct from the places used for the making of bread.

SECTION 28, (as amended by chapter 177, acts of 1887). Any person or corporation, being the owner, lessee or occupant of any manufacturing establishment, factory, mine, workshop or store, or owning or controlling the use of any building or room, shall, for the violation of any provision of this act * * * be liable to a penalty of fifty dollars for each offense * * * and any employé who shall be guilty of any violation of the provisions of this act shall be liable * * * to a penalty of not more than fifty dollars, as the court shall fix; such action shall be prosecuted in the name of the inspector of factories; * * *; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and cost.

Labor combinations not unlawful.

(Page 774.)

SECTION 30. It shall not be unlawful for any two or more persons to unite, combine or bind themselves by oath, covenant, agreement, alliance or otherwise, to persuade, advise or encourage, by peaceable means, any person or persons to enter into any combination for or against leaving or entering into the employment of any person, persons or corporation.

*This overrides page 324, section 11.

Employment of children.

(Page 937.)

SECTION 77. No child under the age of fifteen years shall be employed by any person, company or corporation to labor in any business whatever, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some well recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child or his or her parents or guardians shall have complied with the provisions of section (10) ten, page 408, of Supplement of 1886.

SECTION 78. Every parent, guardian or other person having charge or control of any child, from twelve to sixteen years of age, who has been temporarily discharged from employment in any business in order to be afforded an opportunity to receive instruction or schooling, shall send such child to some public or private day school for the period for which such child shall have been discharged, unless such child shall have been excused from such attendance by the inspectors of factories and workshops, or by the board of the school district for reasons as stated in section one hereof.

Convict labor—Contract system prohibited.

(Page 969.)

SECTION 17. It shall be unlawful for the principal keeper, supervisor and board of inspectors of the state prison of this state, in anywise to contract for the labor of the prisoners confined in said prison or for any portion thereof.

SECTION 18. It shall be unlawful for any keeper, warden, superintendent or other official, or member of any governing body or board of any prison, penitentiary, jail or public reformatory institution located within this state, in anywise to contract for the labor of the inmates of any such prison, penitentiary, jail or public reformatory institution.

SECTION 19. Any principal or other keeper, supervisor, inspector, warden, superintendent or other officer, * * * who shall violate any of the provisions of the two preceding sections of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding two thousand dollars, or by imprisonment at hard labor in the state prison not exceeding two years, or both.

Convict labor.

(Page 969.)

SECTION 21. The prisoners or persons confined or kept in any prison, penitentiary, jail or public reformatory institution located within this state, shall, so far as practicable in the judgment of the managers of such prison, penitentiary, jail or public reformatory institution, be employed in the manufacture or at work upon goods used in such institutions as are under state control, and all prisoners and persons not employed for said purpose shall be employed on what is commonly known as the "piece-price plan," as the managing authorities of such prison, penitentiary, jail or public reformatory institution may be able to arrange for with parties desiring such labor, or they shall be employed under what is known as the "public account system"; * * *.

SECTION 22. The authorities managing the State prison or any reformatory institution shall, with the assent of the governor, purchase any tools, machinery or stock necessary to carry out the provisions of this act * * *; and the authorities of any penitentiary or jail may, with the assent of the board of chosen freeholders of the county, purchase any tools, machinery, or stock necessary to carry out the provisions of this act * * *.

SECTION 23. The authorities of any prison, penitentiary, jail or public reformatory institution, before they shall make any agreement with any party or parties for the labor of the prisoners or persons in their charge under the "piece-price system," or before they shall dispose of any goods made in their institution under the "public account system," shall advertise in not less than four of the principal newspapers of the state for the space of three weeks, once a week, calling for public bids, so that there shall be a proper and just competition either

for the labor of the prisoners or persons confined in such institutions or for the sale of goods; this advertising may be done before or after the goods are completed, and every effort shall be made to obtain current market prices for the same.

SECTION 24. Nothing in this act contained shall be construed to in any way abridge the powers of any board of chosen freeholders, in any county in this state, to employ any persons confined in any penitentiary or jail in said county in any other capacity they may deem wise, except under the "contract system" now in use in the state prison, and the authorities of any reformatory institution are also authorized to apprentice any of the minors in their institution.

SECTION 25. Any party or parties who may employ any portion of the prisoners or persons within the limit prescribed by law, shall have power to place one or more instructors, if necessary, in any prison, penitentiary, jail or public reformatory institution of the state, where their work is being done, the expenses or salary of said instructor or instructors to be paid by the party or parties so employing them, or, if the work is done under the "public account system," * * * such instructor or instructors shall be paid by the state; such instructors shall in no wise interfere with the discipline or management of the prisoners, and shall be, while so employed in the prison, subject to all the rules and regulations made by its officers for its government.

SECTION 26. * * * *Provided, however*, That no such prisoners or persons shall be employed at any trade where such employment is now prohibited by law; *and provided further*, That no greater number of persons shall be employed in any business or occupation than is now provided by law.

ACTS OF 1887.

CHAPTER 112.—*Hours of labor—Surface and elevated railroads.*

SECTION 1. Twelve hours' labor, to be performed within twelve consecutive hours, with reasonable time for meals, not less than half an hour for each, shall constitute a day's labor in the operation of all cable, traction and horse-car street surface railroads, and of all cable, traction and steam elevated railroads, owned or operated by corporations incorporated under the laws of this state, for the employés of such corporations in operating such railroads.

SECTION 2. It shall be a misdemeanor for any officer or agent of any such corporation to exact from any of such employés more than twelve hours' labor within the twenty-four hours of the natural day, and within twelve consecutive hours therein as in the first section provided; *Provided, however*, That in case of accident or unexpected contingency demanding more than the usual service by such corporation to the public, or from such employés to the corporation, extra labor may be permitted and exacted for extra compensation.

SECTION 3. It is the true intent and purpose of this act to limit the usual hours of labor of the employés of railroad corporations as aforesaid to twelve hours' actual work a day, to be performed within a period of twelve consecutive hours as aforesaid, whether such employés be employed by the trip or trips, the job, the hour, the day, the week, the month, or in any other manner.

CHAPTER 173.—*Industrial education in public schools.*

SECTION 1. Whenever in any school district in this state there shall have been raised by special school tax or by subscription, or both, a sum of money not less than one thousand dollars for the establishment in such district of a school or schools for industrial education, or for the purpose of adding industrial education to the course of study now pursued in the school or schools of such district, there shall be appropriated by the state, out of the income of the school fund, an amount equal to that appropriated by the district as aforesaid; and when such school or schools shall have been established in any district, or said industrial education has been introduced into the course of study in the school or schools of any district, there shall be appropriated by the state for the maintenance and support thereof a sum of money equal to that appropriated each year by the district for such purpose; *Provided*, That the moneys appropriated by the state as aforesaid to any school district shall not exceed in any one year the sum of five thousand dollars.

SECTION 2. The trustees of any district in this state receiving an appropriation under the provisions of this act shall annually, on or before the first day of

September, make a special report to the superintendent of public instruction of the progress of industrial education in such district and such other information in connection therewith as he may require.

CHAPTER 176.—*Marking of convict-made goods.*

SECTION 1. It shall be the duty of every contractor carrying on in the State prison any manufacturing business in which the labor or skill of the prisoners is employed whether under contract or otherwise, and of the manager or superintendent in charge for such contractor to cause all goods, wares, and merchandise made in whole or in part, within said prison and which are intended for sale, to be stamped in a legible and conspicuous manner with the words, "Manufactured in the New Jersey state prison;" *Provided*, That whenever from the nature of any of the articles made or manufactured in said prison, it shall be impracticable to stamp each article, or if any articles shall be manufactured which are usually put up in packages, it shall be sufficient for the purposes of this act to put a stamp, label or tag upon such packages, showing where such articles were made; *Provided*, That said tag, stamp or label shall be put on said package in a good, lasting and permanent manner, and it shall be the duty of the principal keeper, supervisor and board of inspectors to insert in every contract for convict labor hereafter made on behalf of the state such terms, covenants and provisions as will bind the contractor to comply with the requirements of this act; any contractor, manager or superintendent who shall wilfully violate the provisions of this act shall be guilty of a misdemeanor.

CHAPTER 177.—*Factories and workshops.*

SECTION 1. Every person shall within one month after he begins to occupy a factory or workshop, notify one of the factory inspectors of such occupancy.

SECTION 4. All factories, manufacturing establishments or workshops of two or more stories in height, in which thirty or more persons are employed above the first floor thereof, shall be provided with one, or (if the proper officials deem necessary) more outside iron fire escapes, not less than six feet in length and three feet in width, properly and safely constructed, guarded by iron railings not less than three feet in height, and taking in at least two windows at each story, and connected with the interior by easily accessible and unobstructed openings; and the said fire escapes shall connect by iron stairs not less than twenty-four inches wide, the steps to be not less than six inches tread, placed at not more than an angle of forty-five degrees slant, and protected by a well secured hand rail on both sides, with a twelve-inch wide drop ladder from the lower platform, reaching to the ground.

SECTION 5. For every twenty persons employed on every floor above the second floor of every factory and workshop there shall be one rope or portable fire escape. * * *

SECTION 6. All the main doors, both inside and outside, in factories, shall open outwardly, when the inspectors of factories, in writing, so direct, and * * * no outside or inside door of any building, wherein operatives are employed, shall be so locked, bolted or otherwise fastened during the hours of labor, as to prevent egress.

SECTION 7. No minor below the age of sixteen shall be employed at any work dangerous to health, without a certificate of fitness from a reputable physician.

SECTION 8. Factories and workshops in which women and children are employed and where dusty work is carried on shall be limewashed or painted at least once in every twelve months.

SECTION 9. An abstract of the factory and workshop laws, to be prepared and furnished by the chief factory inspector, shall be affixed in a conspicuous place at the entrance of every factory and workshop.

SECTION 10. If the inspector of factories find that the heating, lighting, ventilation or sanitary arrangement of any shop or factory is such as to be injurious to the health of persons employed therein, * * * or that the belting, shafting, gearing, elevators, drums and machinery in shops and factories are located so as to be dangerous to employés and not sufficiently guarded, or that the vats, pans or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, he shall notify the proprietor of such factory or work-

shop to make the alterations or additions necessary within thirty days; and if such alterations or additions are not made within thirty days from the date of such notice or within such time as said alterations can be made with proper diligence upon the part of said proprietors, said proprietors or agents shall be deemed guilty of violating the provisions of this act; * * *.

ACTS OF 1888.

CHAPTER 38.—*Manual training in public schools.*

SECTION 1. Whenever any board of school trustees or board of education of any school district in this state shall certify to the state superintendent of public instruction that there has been raised by special district school tax, or by subscription, or both, a sum of money not less than five hundred dollars, for the establishment in such district of a school or schools for manual training, or for the purpose of adding manual training to the course of study now pursued in the school or schools of such district, it shall be the duty of the said state superintendent of public instruction, with the approval of the governor, to draw his order on the comptroller and in favor of said district, for a sum equal to that contributed by said school district as aforesaid, for said object; and when such school or schools shall have been established, or manual training shall have been added to the course of study in any district, there shall be annually contributed by the state, in manner aforesaid, for the maintenance thereof, a sum of money equal to that raised each year in said district for such purpose; *Provided*, That the course of manual training established or introduced under the provisions of this act shall be approved by the state board of education; *Provided, further*, That the moneys appropriated by the state as aforesaid to any school district, shall not exceed in any one year the sum of five thousand dollars, and that all payments made in pursuance of the provisions of this act shall be paid on the warrant of the comptroller out of the income of the school fund.

SECTION 2. The trustees of any school district in this state receiving an appropriation under the provisions of this act, shall annually, on or before the first day of September, make a special report to the state superintendent of public instruction of the progress of manual training in such district, and give such other information in connection therewith as he may require.

CHAPTER 149.—*Fire escapes on factories, etc.*

SECTION 1. All persons owning, leasing or in any manner having charge or control of any * * * factory, manufactory or workshop of any kind, or any other building in which * * * employés or operatives, or any persons whatsoever, to the number of thirty or more are accommodated, or are steadily or casually at work or do congregate, when any such buildings are three or more stories in height, * * * said owners or lessees, or other persons having charge or control of said buildings, shall provide all such buildings with a permanent and safe external means of escape therefrom, which shall be so arranged that in case of fire the ground can be readily reached by the persons occupying the third and higher floors.

SECTION 2. It shall be the duty of the fire inspector or superintendent of buildings of any city, town, borough or township in this state, or of any common council, board of aldermen or other governing board of any city, town, borough or township of this state, by whatever name such authorities may be known, in case there is no fire inspector or superintendent of buildings in such city, town, borough or township, to designate the number of, and the kind and manner of the erection of such external fire escapes to or upon any of said buildings, and shall give notice in writing to the owner or lessee, or the person having charge or control of any such building, setting forth in said notice the number and kind of, and the manner in which said external fire escape or escapes is or are to be erected, as required by said fire inspector or superintendent of buildings, or by ordinance of said municipal authorities, or by resolution of any of said governing boards.

SECTION 3. Any violation of this act, or neglect to comply with such notice to put up said fire escape or escapes within ninety days after said notice is received, shall be deemed a misdemeanor; and any person convicted thereof shall be lia-

ble to a fine not exceeding three hundred dollars, in the discretion of the court; and any person or corporation failing to comply with the provisions of this act shall be liable in an action for damages in case of death or personal injuries sustained because of the absence or disrepair of such fire escape, or in case of fire breaking out in any building upon which there shall be no such efficient fire escape; and such action may be maintained by any person now authorized by law to sue, as in other cases of similar injuries.

ACTS OF 1889.

CHAPTER 73.—*Trade-marks of trade unions, etc.*

SECTION 1. It shall be lawful for associations and unions of workingmen to adopt, for their protection, labels, trade-marks and forms of advertisement, announcing that goods manufactured by members of such associations or unions are as manufactured.

SECTION 2. All persons counterfeiting such labels, trade-marks or forms of advertisements, shall be guilty of a misdemeanor, punishable on conviction by imprisonment for a term of not less than three months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or both.

SECTION 3. Every person who shall use any counterfeited label, trade-mark or form of advertisement of such unions or associations, knowing the same to be counterfeited, after having been notified in writing by the owner thereof or his or its agent that the same is counterfeited, shall be guilty of a misdemeanor, punishable by imprisonment for a term of not less than three months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or both; *Provided*, That such notice in writing contains a copy, counterpart or fac-simile of such label, trade-mark or form of advertisement.

SECTION 4. Every such association or union adopting a label, trade-mark or form of advertisement as aforesaid, shall file the same in the office of the secretary of state by leaving two copies, counterparts or fac-similes thereof, with said secretary of state, * * * .

SECTION 5. Every such association or union adopting a label, trade-mark or form of advertisement as aforesaid, may proceed, by suit, in the courts of this state, to enjoin the manufacture, use, display or sale of any such counterfeits, and * * * all courts having jurisdiction thereof, shall grant an injunction to restrain and prevent such manufacture, use, display or sale, and shall award the complainants such damages resulting from such wrongful use as may be proved, and shall require the defendants to pay to the party injured the profits derived from such wrongful use, or both profits and damages; and the court shall also order all such counterfeits in the possession or under the control of the defendant in such case to be delivered to an officer of the court or to the complainant to be destroyed.

SECTION 6. In like manner such unions or associations shall be authorized to proceed against all persons who shall wrongfully use or display the genuine labels, trade-marks or forms of advertisements of the respective associations or unions, not being authorized by such associations or unions to use or display the same.

CHAPTER 108.—*Deputy inspectors of factories.*

SECTION 1. The governor shall have power to appoint six suitable persons as deputy inspectors of factories and workshops, * * * who shall have like power as the inspector, * * * but shall at all times be governed by and subject to the control of the inspector; * * * .

SECTION 2. The inspector of factories and workshops shall have power to discharge any deputy inspector for cause, and upon such discharge the term of the said deputy inspector shall cease; *Provided*, That no deputy inspector shall be discharged without the consent of the governor.

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CHAPTER 187.—*Incorporation of building associations of organized labor.*

SECTION 1. In the several counties in this state in which there * * * may be two or more assemblies of the Knights of Labor or other societies of organized labor, it shall and may be lawful for two or more of such assemblies or societies

to associate themselves together and become incorporated under and by the name of "the Knights of Labor Building Association of the county of ——," or under any other name which shall indicate the object of such association; and upon the recording of a certificate * * * in the office of the clerk of the county in which the same may be located, and the filing of such certificate in the office of the secretary of state of this state, such persons shall, from and after the date of the filing thereof, become and be incorporated under and by the name aforesaid, as a body politic and corporate in law, * * *.

SECTION 3. On or before the first Monday in May in every year each assembly of the Knights of Labor or society of organized labor in any county of this state, that may be members of any corporation organized under this act, may elect not more than three representatives, and the said representatives, when so elected by the several assemblies or societies, shall constitute the board of representatives of such corporation, and said board shall have and exercise the powers hereinafter committed to them, and shall hold office for three years, * * *.

SECTION 5. The said board of representatives shall have the power to make the necessary by-laws for the government of the said associations, and for the regulation of the meetings of said representatives and the trustees.

SECTION 7. At any meeting of the board of representatives, they shall have the right to inquire into the management of the funds and property of the said corporation, * * *.

SECTION 8. The object of the corporations formed under this act shall be the purchase of land, and the erection of a hall or other buildings, to be used for literary and social purposes, and for the general improvement of workingmen, by the establishment of libraries, reading-rooms and places of social entertainment; and no part of the funds of any such corporation shall be used in any way or manner save as provided by this act.

CHAPTER 271.—*Conditional sale of personal property.*

SECTION 1. In every contract for the conditional sale of goods and chattels hereafter made, which shall be accompanied by an immediate delivery and be followed by an actual and continued change of possession of the things contracted to be sold, all conditions and reservations which provide that the ownership of such goods and chattels is to remain in the person so contracting to sell the same, or other person than the one so contracting to buy them, until said goods or chattels are paid for, or until the occurring of any future event or contingency, shall be absolutely void as against subsequent purchasers and mortgagees in good faith, and as to them the sale shall be deemed absolute, unless such contract for sale with such conditions and reservations therein, be recorded as directed in the succeeding section of this act.

SECTION 2. The instruments mentioned in the preceding section shall be recorded in the clerk's office of the county wherein the party contracting to buy, if a resident of this state, shall reside at the time of the execution thereof, and if not a resident of this state, then in the clerk's office of the county where the property so conditionally bought shall be at the time of the execution of such instrument; *Provided*, That in any county where the office of register of deeds exists or hereafter may be created, such instruments shall be recorded in the office of such register.

SECTION 3. No contract of sale or conveyance intended to operate as a contract to sell goods and chattels conditionally shall be recorded unless the execution thereof shall be first acknowledged or proved, and such acknowledgment or proof certified thereon in the manner prescribed by law for the acknowledgment and proof of deeds.

SECTION 4. The clerks and registers of the several counties of this state shall record such instruments, in accordance with the provisions of this act, in the books used for the recording of chattel mortgages, and the said clerks and register shall respectfully enter at the foot of the record of each such contract of sale and instrument so recorded, the time when such contract of sale or instrument was received by him in his office to be recorded, * * * as aforesaid, the time when the same was delivered to him at his office to be recorded, and the book and page in which the same has been recorded, and shall thereupon deliver the same to the party entitled to it or to his order.

SECTION 5. Such contracts of sale shall be properly indexed in the books used for indexing chattel mortgages, and the records and certified copies thereof shall be evidence in the same manner and in like cases as the record of deeds; and the said clerks and registers shall be entitled to the same fees for recording

and indexing such contracts of sale and for copying such records as they are entitled to for the recording, indexing and copying of deeds.

SECTION 6. Every contract of sale hereafter recorded pursuant to the provisions of this act shall be valid against the creditors of the person contracting to buy and against subsequent purchasers and mortgagees, from the times of the recording thereof until the same be canceled of record in the manner now provided by law for canceling of mortgages of real estate.

CHAPTER 287.—*Fire escapes on factories, etc.*

SECTION 1. * * * every building in which twenty or more persons are employed above the second story in a factory, workshop or mercantile or other establishment, and every * * * lodging-house or tenement-house in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment, the owner, lessee or any one having control of such buildings, of which is notified in writing by the inspector of factories and workshops, or one of his deputies for the district in which any such building may be located, shall be provided with proper ways of egress or other means of escape from fire, sufficient for the use of all persons accommodated, assembling, employed, lodging or residing in such building or buildings, and such ways of egress and means of escape shall be kept free from obstruction, in good repair and ready for use; every room above the second story in any such building in which twenty or more persons are employed shall be provided with more than one way of egress, by stairways on the inside or outside of the building; stairways on the outside of the building shall be kept clear of ice and snow and other obstructions; women or children shall not be employed in a factory, workshop or mercantile or other establishment in a room above the second story from which there is only one way of egress; all doors in any building subject to the provisions of this section shall open outwardly, if the inspector or one of his deputies shall so direct in writing; * * * the certificate of the inspector of factories and workshops, or one of his deputies, shall be conclusive evidence of a compliance with such requirements.

SECTION 2. It shall be the duty of such inspector of factories and workshops, or his deputies, to examine * * * from time to time, all buildings within his district subject to the provisions of this act; a copy of this act shall be kept posted in a conspicuous place in every such building by the person occupying the premises covered thereby.

SECTION 4. In case any change is made in any premises for which a certificate has been issued under this act, whether in the use thereof or otherwise, such as terminates the effect of such certificate as above provided in section two, it shall be the duty of the person making the same to give written notice thereof forthwith to the said inspector of factories and workshops.

SECTION 5. In case any building or portion thereof subject to the provisions of this act is found by the said inspector or one of his deputies to fail to conform to the provisions of this act, or in case any change is made in such building or portion thereof, such as terminates the effect of a certificate formerly granted therefor as aforesaid, it shall be the duty of the inspector of factories and workshops to give notice in writing to the owner, lessee or person who may have control of such building, specifying and describing what additional ways of egress or means of escape from fire are necessary in the opinion of said inspector in order to conform to the provisions of this act and to secure the granting of a certificate as aforesaid; * * *.

SECTION 7. Every story above the second story of a building subject to the provisions of section one, shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water-supply, and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

SECTION 8. It shall be the duty of every owner, lessee or occupant of any building or part thereof subject to this act, to cause the provisions thereof to be carried out, and any owner, lessee or occupant failing to observe such provisions, shall be subject to a fine of not less than fifty nor more than five hundred dollars; but no prosecution therefor shall be brought until four weeks after written notice from the inspector of factories and workshops or one of his deputies, as above provided, of the changes necessary to be made in order to conform thereto, nor then, if in the mean time such changes have been made in accordance with such notification; * * * any such owner, lessee or occupant shall be liable

for all damages caused by his violation of the provisions of this act; any person using or occupying a building contrary to the provisions of this act may be enjoined from such use or occupation in a proceeding to be had before any court of competent jurisdiction at the instance of the inspector, * * * .

SECTION 9. Each and every person employing labor, his officers, agents and employés, and any person or persons, owner or lessee of any building mentioned in section one of this act, located within this state, shall, on demand of the inspector of factories and workshops or any of his deputies, for admission to any such building, immediately admit thereto such inspector of factories and workshops or his said deputy, and such owner, lessee or occupant, his officers, agents and employés, shall afford such inspector or deputy full and free access to any room or department of any such building, and each of such persons hereby is required, if thereto requested by such inspector or deputy, to answer such questions as may be asked by such inspector or deputy, and if so requested by such inspector or deputy, to render a true account in writing to such inspector or his deputy, to the best of his knowledge, of every person or employé then belonging to such building regarding the various matters mentioned in this act, and whoever shall wilfully fail or refuse to immediately answer such questions or to render such written report to such inspector or deputy as aforesaid, shall * * * forfeit and pay a sum not less than fifty dollars and not exceeding one hundred dollars; and every president, treasurer, secretary, general agent or managing director of any manufacturing corporation located and employing labor in this State, or the owner, lessee or occupant of any building or institution mentioned in section one of this act, from which answers to any questions or the rendition of a written report are herein required to be made, who shall wilfully neglect or refuse to give true and complete answers to any inquiries or render a written report as required by this section, such person, officer or agent, shall forfeit and pay a sum not less than fifty dollars nor more than one hundred dollars, * * * .

ACTS OF 1890.

CHAPTER 63.—*Fire escapes on factories, etc.*

SECTION 1. All buildings now or hereafter erected in which twenty or more persons live or congregate or are employed, temporarily or otherwise, above the first or ground floor thereof, shall have one or more, as the proper authority shall direct, external wrought iron fire escapes, of such dimensions and character and subject to such regulation and construction as the said proper authority shall designate.

SECTION 2. In all incorporated municipalities the board of aldermen, city council or borough commissioners shall provide for the enforcement of the provisions of this act by ordinance.

SECTION 3. In all sections outside of incorporated municipalities township committees shall have power to enforce the provisions of this act.

CHAPTER 231.—*Protection of employés as voters.*

SECTION 71. Any employer of any workmen, or any agent, superintendent or overseer of any company or corporation employing workmen, or any person whomsoever, who shall directly or indirectly, by himself or by any other person in his behalf or by his direction, make use of or threaten to make use of any force, violence or restraint, or inflict or threaten to inflict by himself or by any other person any injury, damage, harm or loss against any person or persons in his employ, in order to induce or compel such employé or employés to vote or refrain from voting for any particular candidate or candidates at any election, or on account of such employé or employés having voted or refrained from voting for any particular candidate or candidates at any election, or who shall by any sort of duress, constraint or improper influence or by any fraudulent or improper device, contrivance or scheme, impede, hinder or prevent the free exercise of the franchise of any voter at any election, or who shall thereby compel, induce or prevail upon any voter to vote for or against any particular candidate or candidates at any election, shall be guilty of a misdemeanor, and being thereof convicted shall be punished by a fine not exceeding two thousand dollars, or imprisonment not exceeding five years, or both, at the discretion of the court before which conviction is had.

NEW MEXICO.

COMPILED LAWS OF 1884.

TITLE 7.—*Convict labor.*

SECTION 479. The sheriff of each county, on receiving any person into his custody, in case such person has to remain in jail, although not under sentence, it shall be the duty of said sheriff to ascertain whether such person has the means of supporting himself, and if not, it is the duty of the said sheriff to supply him with the means of support, and to procure him employment in order that he subsist by his labor, and in case employment cannot be procured for him, he shall be employed by said sheriff in cleaning the streets, or at any other public work, and in such case he shall be supported at the expense of the county * * *.

SECTION 485. It shall be the duty of the sheriff of each county within said territory, upon receiving any person under his custody as jailor, and conformably to the contents of the previous section, if the person detained shall not furnish food necessary to sustain life, to employ him in labor in any public work of his county, or to hire him out in order that by his labor he may be subsisted. * * *

SECTION 487. All prisoners convicted of crime and senteneed to the county jail as a punishment shall be compelled by the sheriff or jailor of each county in the territory to labor during the term of his or her sentence at some useful employment during the term of such sentence; unless such prisoner is absolutely unfitted for labor by reason of age or sickness. And it shall be lawful to secure such prisoners by ball and chain or otherwise, or other proper and convenient means not amounting to cruel or inhuman treatment, so to prevent their escape.

TITLE 9.—*Convict labor.*

SECTION 677, (As amended by chapter 17, acts of 1888–'89). In all cases of imprisonment in the county jails of this Territory, it shall be lawful for the jailors to compel prisoners after conviction to labor at some useful employment, * * *.

TITLE 9.—*Sunday labor.*

SECTION 933, (As amended by chapter 26, acts of 1886–'87). Any person or persons who shall be found on the first day of the week called Sunday, * * * engaged in any labor, except works of necessity, charity, or mercy, shall be punished by a fine not exceeding fifteen dollars, nor less than five dollars, or imprisonment in the county jail of not more than fifteen days, nor less than five days, in the discretion of the court, upon conviction before any district court.

SECTION 934. It shall be lawful in cases of necessity for farmers and gardeners to irrigate their lands, and when necessary to preserve the same to remove grain, and other products, from the fields on said day: and nothing in this act shall be construed to prevent cooks, waiters, and other employés of hotels and restaurants, and of butchers and bakers, from performing their duties on said day.

SECTION 936. Sunday, for the purposes of this act, shall be regarded as the time between sunrise and midnight of said day.

TITLE 10.—*Earnings of married women.*

SECTION 1087. * * * Any married woman may, during coverture, receive, take, hold, use, and enjoy property of any and every description, and all avails of her industry, free from any liability of her husband on account of his debts, as fully as if she were unmarried.

TITLE 26.—*Coal-mine regulations and inspection.*

SECTION 1575. The owner or agent of every coal mine shall make or cause to be made an accurate map or plan of the workings of such coal mine or mines, on a scale of one hundred feet to the inch.

SECTION 1576. A true copy of which map or plan shall be kept at the office of the owner or owners of the mine open to the inspection of all persons, and one copy of such map or plan shall be kept at the mines by the agent or other persons in charge of the mines, open to the inspection of the workmen.

SECTION 1577. The owner or owners or agents of every coal mine shall provide at least two shafts, slopes or outlets, separated by natural strata of one hundred and fifty feet in breadth, by which shafts, slopes or outlets distinct means of ingress and egress are always available to the persons employed in the coal mine.

SECTION 1578. The owners or agents of every coal mine shall provide and establish for every such coal mine an adequate amount of ventilation of not less than fifty-five cubic feet per second of pure air, or thirty-three hundred feet per minute for every fifty men working in such coal mine, and as much more as the circumstances require, which shall be circulated through the face of every working place throughout the entire mine, to dilute and render harmless and expel therefrom the noxious, poisonous gases, to such an extent that the entire mine shall be in a fit state for men to work therein and be free from danger to the health and lives of the men by reason of said noxious and poisonous gases, and all workings shall be kept clear of standing gas.

SECTION 1579. To secure such ventilation in every such coal mine, the owner or agent in charge shall employ a competent and practical inside overseer, who shall keep a careful watch over the ventilating apparatus, over the air ways, traveling ways, the pumps and tanks, the timbering, to see as the miners advance in their excavations that all loose coal, slate or rock overhead is carefully secured against falling, and to provide for the health and safety of the men employed therein; over the arrangements for signaling from top to bottom, and from bottom to top of the shaft or stope, and all things appertaining to the safety of the men employed in such mine. He or his assistants shall examine carefully the workings of all mines generating explosive gases every morning, and at all other times when necessary before the miners enter, and shall ascertain that the mine is free from danger, and the workmen shall not enter the mine until such examination has been made and reported and the cause of danger, if any, be removed.

SECTION 1580. The overseer shall see that the hoisting machinery is kept constantly in repair, and ready for use to hoist the workmen out of the mine.

SECTION 1581. The word "owner" as used in this act shall apply to lessee as well.

SECTION 1582. For every injury to person or property occasioned by any violation of this act, or any wilful failure to comply with its provisions, a right of action shall accrue to the party injured for any direct damages he or she may have sustained thereby before any court of competent jurisdiction.

SECTION 1583. For any wilful failure or negligence on the part of the overseer of any coal mine, he shall be liable to conviction of a misdemeanor and punished according to law: *Provided*, That if such wilful failure or negligence is the cause of the death of any person, the overseer, upon conviction, shall be deemed guilty of manslaughter.

SECTION 1584. All boilers used for generating steam in and about the mine shall be kept in good order, and the owner or agent in charge of such mine shall have them inspected by some competent boilermaker as often as once in every three months.

SECTION 1585. This act shall not apply to the opening of new coal mines.

TITLE 41.—*Exemption from taxation.*

SECTION 2808. The following classes of property shall be exempt from taxation: * * * the property of the head of a family not exceeding $300.00 in value, and any other property that may be expressly exempted by other statutes.

ACTS OF 1886–'87.

CHAPTER 34.—*Medical attendance, etc., to be provided for employés of smelting works.*

SECTION 1. Whenever any employé of any corporation, person or persons engaged in the management and operation of any smelting works in the territory of New Mexico, shall become disabled and rendered unfitted for labor by reason of lead poisoning, which said lead poisoning shall be the result and consequence of said employés performance and proper discharge of said employés duties in

and about said smelting works, said employé shall be provided with and receive all proper medical attendance, medicines and sustenance during such disability, at the expense of said corporation, person or persons so employing him.

SECTION 2. If any such corporation, person or persons engaged in the management and operation of any smelting works in the territory of New Mexico shall fail to provide such employé with all proper medical attendance, medicines and sustenance during such disability of said employé, then the reasonable expenses of providing such employé with all proper medical attendance, medicines and sustenance during such disability of said employé may be recovered from such corporation, person or persons so engaged in the management and operation of smelting works as aforesaid, in an action at law by and in the name of any person or persons rendering or providing such employé with the said medical attendance, medicines and sustenance.

CHAPTER 37.—*Exemption from execution, etc.—Personal property.*

SECTION 1. Every person who has a family and every widow may hold the following property exempt from execution, attachment or sale, for any debt, damage, fine, or amercement, to wit:

(1) The wearing apparel of such person or family: the beds, bedsteads, and bedding necessary for the use of the same; one cooking stove and pipe: one stove and pipe used for warming the dwelling; and fuel sufficient for the period of sixty days, actually provided and designed for the use of such person or family.

(2) One cow, or if the debtor owns no cow, household furniture to be selected by him or her not exceeding forty dollars in value; two swine, or the pork therefrom, or if the debtor owns no swine, household furniture to be selected by him or her not exceeding fifteen dollars in value, six sheep the wool shorn from them, and the cloth or other articles manufactured therefrom, or in lieu thereof, household furniture to be selected by the debtor, not exceeding twenty dollars in value; and sufficient food for such animals for the period of sixty days.

(3) The bibles, hymn books, psalm books, testaments, school and miscellaneous books used in the family, and all family pictures.

(4) Provisions actually provided and designed for the use of such person or family, not exceeding fifty dollars in value, to be selected by the debtor, his wife, agent or some member of the family, and other articles of household and kitchen furniture, or either, necessary for such person or family to be selected as aforesaid, not exceeding two hundred dollars in value.

(5) One sewing machine, one knitting machine, one gun or pistol, and the tools and implements of the debtor, necessary for carrying on his trade or business, whether mechanical or agricultural, to be selected by him or her, not exceeding one hundred and fifty dollars in value.

(6) The personal earnings of the debtor, and the personal earnings of his or her minor child or children, for three months, when it is made to appear, by the affidavit of the debtor, or otherwise, that such earnings are necessary to the support of such debtor, or of his or her family, and such period of three months shall date from the time of issuing any attachment or other process, the rendition of any judgment, or the making of any order, under which the attempt may be made to subject such earnings to the payment of a debt.

(7) All articles, specimens, and cabinets of natural history, or science, whether animal, vegetable, or mineral, except such as may be intended for show or exhibition for money or pecuniary gain.

SECTION 2. Every person who is engaged in the business of draying or carrying property from place to place with one horse and wagon for a livelihood, shall in addition to the exemptions specified in the preceding section, hold one horse harness dray, or wagon exempt from execution. Every head of a family who is engaged in the business of agriculture shall in addition to the exemptions provided for in the preceding section, hold exempt from execution or attachment two horses, or one yoke of cattle with the necessary gearing for the same and one wagon, and every head of a family who is engaged in the practice of medicine, shall, in addition to the exemptions specified in said section, hold one horse, one saddle and bridle, and also books, medicines and instruments pertaining to his profession, not exceeding one hundred dollars in value, exempt from execution.

SECTION 3. Every unmarried woman may hold the following property exempt from execution, attachment, or sale, to satisfy any judgment or order, to wit:

(1) Wearing apparel to be selected by her, not exceeding in value one hundred and fifty dollars.

(2) One sewing machine.
(3) One knitting machine.
(4) If engaged in teaching music, one piano or organ.
(5) A bible, hymn book, psalm book, album, and any other books not exceeding in value fifty dollars.

SECTION 4. Any person being the head of a family engaged in the practice of law, shall, in addition to the exemption in this act enumerated be entitled to hold exempt from levy or sale, books pertaining to his profession, not exceeding in value five hundred dollars.

SECTION 7. Any beneficiary fund not exceeding five thousand dollars, set apart, appropriated, or paid, by any benevolent association or society, according to its rules, regulations, or by-laws, to the family of any deceased member, or to any member of such family, shall not be liable to be taken by any process or proceedings, legal or equitable, to pay any debts of such deceased member.

SECTION 10. This act shall be so construed as to apply to all species of indebtedness, against exempted property except taxes and no property shall be exempted from the payment of taxes, lawfully assessed against it.

SECTION 12. The provisions contained in this act with respect to exemptions, shall apply to all courts in this territory, including justices of the peace.

CHAPTER 37.—*Exemption from execution, etc.—Homesteads.*

SECTION 13. Husband and wife, widow or widower living with an unmarried daughter, or unmarried minor son, may hold exempt from sale or judgment or order, a family homestead, not exceeding one thousand dollars in value, and the husband, or in case of his failure or refusal the wife shall have the right to make the demand therefor; but neither can make such demand, if the other has a homestead. The provisions of this section shall not apply or extend to a judgment or decree rendered on a mortgage executed by the debtor and his wife, nor to impair the lien by mortgage or otherwise, of the vendor for the purchase money of the premises in question, nor the lien of a mechanic or laborer or other person under any statute of this territory, for materials furnished or labor performed in the erection of the dwelling house thereon or in the repair or improvement of such dwelling house.

SECTION 14. A person owning the superstructure of a dwelling house occupied by him or her as a family homestead, though the title to the land upon which the same is built is in another, and also lessees, shall be entitled to the benefit of the preceding section, in the same manner as the owner of the freehold or inheritance, but this section shall not be construed to prevent a sale of the fee simple subject to the lease.

SECTION 19. Any resident of this territory, who is the head of a family, and not the owner of a homestead, may hold exempt from levy and sale real or personal property * * * , not exceeding five hundred dollars in value, in addition to the amount of chattel property otherwise by law exempted.

ACTS OF 1888-'89.

CHAPTER 30.—*Foreign guarantee companies.*

SECTION 1. Hereafter in this territory, no corporation, company, firm or individual, shall demand as a condition precedent to giving employment to any person or retaining such person in employment, that such employé shall procure the bond or guarantee of any foreign guarantee company, as an indemnity to such employer against loss by the act of such employé, unless such guarantee company shall have a designated agent at the county seat of some county in this territory, where they do business, upon whom process can be served in suits against it, and it shall have otherwise fully complied with the law to warrant it in so doing such insurance or guaranteeing business in this territory.

SECTION 2. Any corporation, company, firm or individual doing business in this territory, or who may hereafter so do business, who shall enter into any contract as to guaranteeing such employer against loss from the acts of employés with any foreign guarantee company, firm or corporation, that is not entitled by a full compliance with the laws of this territory to do such insurance or guaranteeing business in this territory, or who shall charge a fee to its,

their or his employés, or retain from the wages of any employé any fee or sum of money to pay for such guarantee so entered into with such guarantee association, corporation, company, firm or individual, who shall not have complied with the requirements of section one of this act to warrant it or him to do such business in this territory, shall be deemed guilty of a misdemeanor, and shall be subject to a fine not less than one thousand dollars nor more than ten thousand dollars, in the discretion of the jury trying the case, and it is hereby made the duty of all prosecuting officers to take notice of violations of this act and prosecute the same.

CHAPTER 76.—*Convict labor.*

SECTION 12. All male persons convicted of crime and confined in the penitentiary under the laws of the territory, except such as are precluded by the terms of the judgment and sentence under which they may be imprisoned, shall perform labor under such rules and regulations as have been or may hereafter be prescribed by the board of penitentiary commissioners.

SECTION 29. The board of penitentiary commissioners shall decide what improvements shall be made in the penitentiary, * * * which improvements shall be made under the direction of the superintendent on plans furnished by said board, and he shall employ such number of convicts in making such improvements as said board may deem advisable, and shall employ the remainder of the convicts as may be most advantageous to the territory or the penitentiary; *Provided, however*, That he shall classify the convicts and if it shall be more in the interest of the penitentiary or the territory to hire out the labor of the convicts to be worked under the control of the superintendent, he may hire out such labor with the consent of the board of penitentiary commissioners.

SECTION 39. The superintendent, under the direction of the board of penitentiary commissioners, may hire out the labor of the convicts to the best advantage, but in no case shall a convict be allowed to go out to labor without being under the custody of a guard or an overseer of the penitentiary, unless he shall belong to a class known as "trusties," which class shall be composed of such of said convicts as the superintendent and board of penitentiary commissioners shall be able to confide and trust in absolutely to do what they may be required to do without being under the supervision of a guard or overseer.

SECTION 41. When the labor of any convict shall be hired out the superintendent shall enter in a book a memorandum of the contract, which memorandum shall show the number of convicts hired, how long, at what wages, the names of the convicts, and the name of the party to whom hired.

SECTION 59. Whenever the convicts in the penitentiary or any of them shall not be hired out or employed in any work at the penitentiary or otherwise occupied in any labor, it shall be proper and requisite to employ them in and about any work, labor or improvement on the capitol building or capitol grounds, and also in grading, repairing, opening, cleaning or leveling the streets, alleys, roads and bridges in and near the city of Santa Fé, and in quarrying and hauling stone, and also in securing, bettering and protecting the banks of the Santa Fé River from overflowing or destruction, so as to prevent damage from high water or otherwise, where said river runs through the city of Santa Fé.

CHAPTER 126.—*Weighing coal at mines.*

SECTION 1. That the owner or agent of each coal mine within this territory, at which the miners are paid by weight, shall provide at or near such mine suitable scales of standard make for the weighing of all coal mined.

SECTION 2. The owner or agent of such mine shall require the person authorized to weigh the coal delivered from said mine to be sworn, before some person having authority to administer an oath, to keep the scales correctly balanced; to accurately weigh and to record a correct account of the amount weighed of each miner's car of coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing. The record of the coal mined by each miner shall be kept separate and shall be open to his inspection at all reasonable hours, and also for the inspection of all other persons pecuniarly interested in such mine.

SECTION 3. In all coal mines in this territory the miners employed and working therein may furnish a competent check-weighman, who shall at all proper times have full right of access and examination of such scales, machinery or apparatus, and seeing all measures and weights of coal mined and accounts kept of the same; *Provided*, That no more than one person on behalf of the miners collectively shall have such right of access, examination and inspection of scales, measures and accounts at the same time and that such person shall make no unnecessary interference with the use of such scales, machinery or apparatus. The agent of the miners as aforesaid shall before entering upon his duties make and subscribe to an oath before some officer duly authorized to administer oaths, that he is duly qualified and will faithfully discharge the duties of check-weighman. Such oath shall be kept conspicously posted at the place of weighing.

SECTION 4. Any person, company or firm using any scale or scales for the purpose of weighing the output of coal at mines so arranged or constructed that fraudulent weighing may be done thereby or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act or any weighman or check-weighman who shall fraudulently weigh or record the weights of such coal or receive at or connive at or consent to such fraudulent weighing shall be deemed guilty of a misdemeanor, and shall upon conviction for each offense be punished by a fine of not less than two hundred dollars ($200) nor more than five hundred dollars ($500) or by imprisonment in the county jail for a period not to exceed sixty days or by both such fine and imprisonment, proceedings to be instituted in any court of competent jurisdiction.

SECTION 5. Any person, owner or agent operating a coal mine in this Territory who shall fail to comply with the provisions of this act or who shall obstruct or hinder the carrying out of its requirements shall be fined for the first offense not less than fifty dollars ($50) nor more than two hundred dollars ($200), for the second offence not less than two hundred ($200) dollars nor more than five hundred dollars ($500); and for a third offence not less than five hundred dollars ($500); *Provided*, That the provisions of this act shall only apply to coal mines whose products are shipped by rail and shall not apply to mines where suitable scales of standard make furnished by any railroad or transportation company or through which the coal is shipped are used for such weighing.

CHAPTER 135.—*Protection of employés as voters.*

SECTION 4. It shall be unlawful for any person after the passage of this act, at or prior to any election authorized by the laws of this territory, to influence or attempt to influence any voter to vote for or against any candidate for office, or any question or person, or to refrain from voting at any such election, * * * by the offer of employment, or by any menace or threat to discharge from employment, or by any threat of violence to any such voter, * * *. Any person violating any of the provisions of this section shall upon conviction thereof, before any court of competent jurisdiction, be fined in any sum not less than one hundred dollars nor more than five hundred dollars, and by imprisonment in the county jail not less than three months nor more than six months at the discretion of the court trying the same.

NEW YORK.

REVISED STATUTES OF 1881.

Contractor's bond—Security for wages of employés on public works.

(Page 699.)

SECTION 1. It shall be the duty of any canal commissioner or other officer having charge of the letting any contract for work on any of the canals or other public works of this state, to require and take, in addition to the bond now required by law for the security of the state, a bond with good and sufficient sureties not less than two, conditioned that such contractor shall well and truly pay in full, at least once in each month, all laborers employed by him on the work specified in such contract, which bond shall be duly acknowledged before any officer authorized to take acknowledgment of deeds, and filed by the officer taking the same, in the office of the clerk of the county, wherein such work or

contract is to be performed. And when such work shall be partly in two or more counties, there shall be such a bond filed in the clerk's office of each county.

SECTION 2. Suits may be commenced on said bond before a justice of the peace, when the amount claimed shall not exceed the jurisdiction of a justice of the peace, and a transcript of such bond, duly authenticated by the county clerk, may be used in evidence in such suit.

SECTION 3. * * * no recourse shall be had to the sureties upon such bond, unless proceedings shall be commenced within thirty days after the completion of the labor, the payment of which is secured by such bond. But nothing in this act contained shall prevent or bar a suit against such contractor within the time limited by law.

Seats for female employés.

(Page 1089.)

SECTION 1. It shall be the duty of all employers of females in any mercantile or manufacturing business or occupation to provide and maintain suitable seats for the use of such female employés, and to permit the use of such seats by such employés to such an extent as may be reasonable for the preservation of their health.

SECTION 2. Any violation of this act by any employer shall be deemed a misdemeanor.

Employment of children.

(Page 1206.)

SECTION 2. No child under the age of fourteen years shall be employed by any person to labor in any business whatever during the school hours of any school day of the school term of the public school in the school district or the city where such child is, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in spelling, reading, writing, geography, English grammar and arithmetic, or shall have been regularly instructed at home in said branches by some person qualified to instruct in the same, at least fourteen weeks of the fifty-two weeks next preceding any and every year in which such child shall be employed, and shall, at the time of such employment, deliver to the employer a certificate in writing, signed by the teacher or a school trustee of the district or of a school, and countersigned by such officer as the board of education or public instruction, by whatever name it may be known in any city, incorporated village or town, shall designate, certifying to such attendance or instruction; and any person who shall employ any child contrary to the provisions of this section shall, for each offence, forfeit and pay a penalty of fifty dollars to the treasurer or chief fiscal officer of the city, or supervisor of the town, in which such offence shall occur; * * *.

SECTION 3. It shall be the duty of the trustee or trustees of every school district, or public school, or union school, or of officers appointed for that purpose by the board of education or public instruction, by whatever name it may be known, in every town and city, in the months of September and of February of each year, and at such other times as may be deemed necessary, to examine into the situation of the children employed in all manufacturing and other establishments in such school district where children are employed; and in case any town or city is not divided into school districts, it shall, for the purposes of the examination provided for in this section, be divided by the school authorities thereof into districts, and the said trustees or other officers as aforesaid notified of their respective districts on or before the first day of January of each year; and the said trustee or trustees, or other officers as aforesaid, shall ascertain whether all the provisions of this act are duly observed, and report all violations thereof to the treasurer or chief fiscal officer of said city, or supervisor of said town. On such examination, the proprietor, superintendent or manager of said establishment shall, on demand, exhibit to said examining trustee, or other officers as aforesaid, a correct list of all children between the ages of eight and fourteen years employed in said establishment, with the said certificates of attendance on school or of instruction.

SECTION 10. Two weeks' attendance at a half time or evening school shall for all purposes of this act be counted as one week at a day school.

Co-operative associations.

(Page 1626.)

SECTION 1. Any number of persons, not less than three, may associate and form an incorporation or company for the purpose of uniting their labor, capital and patronage, in any business or occupation upon the co-operative plan, upon filing in the office of the secretary of state a declaration, signed by the corporators, expressing their intention to form such a company, together with a copy of the charter proposed to be adopted by them.

SECTION 2. * * * no company shall be organized under this act with a capital of less than one thousand dollars, * * *.

SECTION 5. Companies organized under this act shall have the word "co-operative," as a part of their corporate or business name wherever used, either in advertising or transacting their business.

Intemperate persons not to be employed on railroads, etc.

(Page 1985.)

SECTION 31. All incorporated companies and persons in this state, engaged in conveying passengers, including especially all railroad, steamboat and ferry companies, and all kinds of corporations conveying for hire, persons or property, shall be and hereby are required to refuse employment to all persons who, on good and sufficient proof, shall be shown to indulge in the intemperate use of intoxicating drinks, and any such company which shall retain in its employ any person or persons who shall on competent proof, be shown to be intoxicated at any period whilst in the active service of said company or person, either as engineer, conductor, fireman, switch tender, commander, pilot, mate or foreman, or be in any way connected with the moving power or management, or whose duty, if neglected, would diminish the safety and security of life, limb or property, entrusted thereto, said company or corporation shall be liable to pay a sum of not less than fifty dollars nor more than one hundred dollars to the county treasurer in the county where the offence may be committed and proved, before any court of competent jurisdiction.

Labor Day.

(Page 2248.)

SECTION 1, (as amended by chapter 289, acts of 1887). The following days * * * the first Monday of September, to be known hereafter as Labor Day; * * * shall be considered * * * as public holidays * * *.

Wages preferred—In assignments.

(Page 2276.)

SECTION 29, (as amended by chapter 283, acts of 1886). In all distributions of assets under all assignments, made in pursuance of this act, the wages or salaries actually owing to the employees of the assignor or assignors at the time of the execution of the assignment shall be preferred before any other debt; and should the assets of the assignor or assignors not be sufficient to pay in full all the claims preferred, pursuant to this section, they shall be applied to the payment of the same pro rata to the amount of each such claim.

Earnings of married women.

(Page 2338.)

SECTION 1. The property, both real and personal, which any married woman * * * acquires by her * * * labor or services * * * performed on her sole or separate account * * * shall, notwithstanding her marriage, be and remain her sole and separate property, and may be used, collected and invested by her in her own name, and shall not be subject to the interference or control of her husband, or liable for his debts, except such debts as may have been contracted for the support of herself or her children, by her as his agent.

Payment of wages to minors.

(Page 2354.)

SECTION 1. It shall be necessary for the parents or guardians of such minor children, as may be in service, to notify the party employing such minor, within thirty days after the commencement of such service, that said parent or guardian claim the wages of such minor, and in default of such notice payment to such minor shall be valid.

Hours of labor.

(Page 2354.)

SECTION 1. * * * eight hours shall constitute a legal day's work for all classes of mechanics, workingmen and laborers, excepting those engaged in farm and domestic labor; but overwork for an extra compensation by agreement between employer and employee is hereby permitted.

SECTION 2. This act shall apply to all mechanics, workingmen and laborers now or hereafter employed by the state, or any municipal corporation therein, through its agents or officers, or in the employ of persons contracting with the state or such corporation for performance of public works.

SECTION 3. Any officer or officers, or agents of this state, or of such corporation, who shall openly violate or otherwise evade the provisions of this act, shall be deemed guilty of malfeasance in office, and be liable to suspension or removal accordingly by the governor or head of the department to which such officer is attached.

SECTION 4. Any party or parties contracting with the state, or any such corporation, who shall fail to comply with, or secretly evade the provisions hereof, by exacting and requiring more hours of labor, for the compensation agreed to be paid per day, than is herein fixed, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine, not less than one hundred nor exceeding five hundred dollars, and in addition thereto, shall forfeit such contract at the option of the state.

Railroad corporations—Liability of stockholders for debts due employés.

(Page 2440.)

SECTION 8. Each and all the stockholders of such corporation shall be jointly and severally liable for the debts due or owing to any of its laborers or servants, other than contractors for personal service for ninety days' service, or less than ninety days' service, performed for such corporation, but shall not be liable to an action therefor, before an execution shall be returned unsatisfied in whole or in part against the corporation, and the amount due on such execution shall be the amount recoverable with costs against stockholders, before such laborer or servant shall charge such stockholders for such ninety days' service, or less than ninety days' service, he shall give notice in writing, within twenty days after the performance of such service, that he intends to so hold him liable, and shall commence such action therefor within thirty days after the return of such execution unsatisfied, as above mentioned; * * * .

Convict labor.

(Page 2615.)

SECTION 95, (as amended by chapter 382, acts of 1889). The superintendent of State prisons shall direct the classification of prisoners into three classes or grades, as follows: In the first grade shall be included those appearing to be corrigible or less vicious than the others and likely to observe the laws and to maintain themselves by honest industry after their discharge; in the second grade shall be included those appearing to be incorrigible or more vicious, but so competent to work and so reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labor, or of the labor of those in company with whom they may be employed; in the third grade shall be included those appearing to be incorrigible or so insubordinate or so incompetent otherwise than from temporary ill-health as to seriously interfere with the discipline or productiveness of the labor of the prison.

SECTION 97, (as amended by chapter 382, acts of 1889). The superintendent of State prisons shall not nor shall any other authority whatsoever, make any

contract by which the labor or time of any prisoner in the state prison shall be contracted, let or hired to contractors at a price per day or for other period of time.

SECTION 98, (as amended by chapter 382, acts of 1889). The superintendent of state prisons shall, so far as practicable, cause all the prisoners in said prisons, who are physically capable thereof to be employed at hard labor for not to exceed eight hours of each day, other than Sundays and public holidays; but such hard labor may be either for the purpose of production and profit or for the purpose of industrial training and instruction, or partly for one and partly for the other of such purposes as hereinafter provided.

SECTION 99, (as amended by chapter 382, acts of 1889). The labor of prisoners of the first grade in each of said prisons shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment as the primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely, even though no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner. Otherwise and so far as is consistent with the primary object of the labor of prisoners of the first grade as aforesaid, the labor of such prisoners shall be so directed as to produce the greatest amount and value of useful or salable products.

SECTION 100, (as amended by chapter 382, acts of 1889). The labor of prisoners of the second grade in each of said prisons shall be directed primarily to the production of the greatest amount and value of useful and salable products, but secondarily to fitting such prisoners to maintain themselves by honest industry after their discharge from imprisonment, even though their labor be rendered thereby less productive.

SECTION 101, (as amended by chapter 382, acts of 1889). The labor of the prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health, or the manufacturing without the aid of machinery, of such articles as are needed in the public institutions of the state, or such other manual labor as the superintendent of state prisons shall direct, which shall not compete with free labor.

SECTION 102, (as amended by chapter 382, acts of 1889). The system of productive labor in each of said prisons shall be either the public-account system, or what is known as the piece-price system, or partly one or partly the other of such systems, as the superintendent of state prisons shall determine. By the public-account system is meant the system by which the state furnishes machinery and material for the labor of the prisoners and markets the products of such labor thereon. By the piece-price system is meant the system by which the state receives payment for the products of the labor of the prisoners upon materials and machinery furnished by the person making such payment or furnished partly by such person and partly by the state.

SECTION 103, (as amended by chapter 382, acts of 1889). Whenever the amount appropriated by the state therefor, shall be insufficient to conduct or continue such productive labor under the public-account system, it shall be the duty of the superintendent of state prisons to use his best endeavors to cause such productive labor to be conducted under the piece-price system. It shall also be the duty of the superintendent of state prisons and reformatories and agents and wardens thereof to obtain the full market rates for all products of the labor of prisoners of such prison whether manufactured under the piece-price system or under the public-account system. But none of the products of the labor of prisoners shall be sold for less than ten per centum in excess of the cost of the materials used in the manufacture of such products.

SECTION 104, (as amended by chapter 382, acts of 1889). It shall also be the duty of the superintendent of state prisons to determine what lines of productive labor shall be pursued in each prison, and in so determining said superintendent shall select diversified lines of industry with reference to interfering as little as possible with the same lines of industry carried on by the citizens of this state, and also with reference to employing the prisoners so far as practicable in occupations in which they will be most likely to obtain employment after their discharge from imprisonment. The superintendent of state prisons shall annually cause to be procured and transmit the same to the legislature with his annual report, a statement showing in detail the amount and quantity of each of the various articles manufactured in the several penal institutions under his control within this state under the public-account or piece-price plan which have been or were intended to be sold other than through public institutions.

SECTION 105. (as amended by chapter 382, acts of 1889). The total number of prisoners employed at one time in manufacturing one kind of goods which are manufactured elsewhere in the state shall not exceed five per centum of the number of all persons within the state employed in manufacturing the same kind of goods, as shown by the last United States census or state enumeration, except in industries in which not to exceed fifty free laborers are employed: *Provided*, That not more than one hundred prisoners shall be employed in all the prisons of the state in the manufacture of stoves and iron hollow-ware, and that not more than one hundred prisoners shall be employed in all the prisons of the state, in the manufacture of boots and shoes, *And provided further*, That no prisoner shall be employed upon any one of said specified industries, in any of the penitentiaries, reformatories or houses of correction in the state; except in making articles for the use of the public institutions of the state.

SECTION 106. (as amended by chapter 382, acts of 1889). The superintendent of state prisons shall hereafter cause to be manufactured by the prisoners in said prisons, such articles as are commonly needed and used in the public institutions of this state, for clothing and other necessary supplies of such institutions and the inmates thereof; and all such articles manufactured in the state prisons and not required for use therein, shall be furnished to the several public institutions supported in whole or in part by the state, for the use of their inmates, upon the requisitions of the trustees or managers thereof upon the superintendent of state prisons, and no article so manufactured shall be purchased for the purpose of such public institutions, unless the same cannot be furnished upon such requisition.

SECTION 116, (as enacted by chapter 395, acts of 1890). No prisoner in any of the state prisons, penitentiaries or reformatories of the state shall be employed in making or finishing fur or wool hats, or in setting type or printing, except in setting type for or printing printed matter for use in the prison, penitentiary or reformatory in which the same is printed, and no products of any labor in the trade of printing or type-setting of any prisoner in any such prison, reformatory or penitentiary shall be put upon the market for sale or sold; but nothing in this act shall prevent the printing within a prison, penitentiary or reformatory of the official reports of the prison, penitentiary or reformatory, in which the same are printed respectively, or the making or finishing of fur or wool hats for use in such prison, penitentiary or reformatory, or for use in any of the public institutions of the state.

[See chapter 21 of the acts of 1884 following, for legislation probibiting further contracts being made for the labor of convicts, and section 3 of chapter 382 of acts of 1889 following, relative to system of employment of convicts in penitentiaries, etc. Also on general subject, sections 388, 399, and 410 of chapter 410, acts of 1882: chapter 470, acts of 1884; chapter 323, acts of 1887; chapter 586, acts of 1888, following.]

REVISED STATUTES—CODE OF CIVIL PROCEDURE, 1883.

Exemption from execution—Personal property.

(Page 281.)

SECTION 1390. The following personal property, when owned by a householder, is exempt from levy and sale by virtue of an execution; and each movable article thereof continues to be so exempt while the family, or any of them, are removing from one residence to another:

1. All spinning wheels, weaving looms, and stoves, put up, or kept for use, in a dwelling-house: and one sewing machine, with its appurtenances.

2. The family Bible, family pictures, and school-books, used by or in the family; and other books not exceeding in value fifty dollars, kept and used as a part of the family library.

3. A seat or pew, occupied by the judgment debtor, or the family, in a place of public worship.

4. Ten sheep, with their fleeces; and the yarn or cloth manufactured therefrom; one cow; two swine; the necessary food for those animals; all necessary meat, fish, flour, and vegetables, actually provided for family use; and necessary fuel, oil, and candles, for the use of the family for sixty days.

5. All wearing apparel, beds, bedsteads, and bedding, necessary for the judgment debtor and the family: all necessary cooking utensils; one table; six chairs; six knives; six forks; six spoons; six plates; six teacups; six saucers; one sugar-dish; one milk pot; one teapot; one crane and its appendages; one pair of and-

irons; one coal-scuttle; one shovel; one pair of tongs; one lamp; and one candlestick.

6. The tools and implements of a mechanic, necessary to the carrying on of his trade, not exceeding in value twenty-five dollars.

SECTION 1391. In addition to the exemptions, allowed by the last section, necessary household furniture, working tools and team, professional instruments, furniture and library, not exceeding in value two hundred and fifty dollars, together with the necessary food for the team, for ninety days, are exempt from levy and sale by virtue of an execution, when owned by a person, being a householder, or having a family for which he provides, except where the execution is issued upon a judgment, recovered wholly upon one or more demands, either for work performed in the family as a domestic, or for the purchase money, of one or more articles, exempt as prescribed in this or the last section.

SECTION 1392. Where the judgment debtor is a woman, she is entitled to the same exemptions, from levy and sale by virtue of an execution, subject to the same exceptions, as prescribed in the last two sections, in the case of a householder.

Exemption from execution, etc.—Homesteads.

(Page 282.)

SECTION 1397. A lot of land, with one or more buildings thereon, not exceeding in value one thousand dollars, owned, and occupied as a residence, by a householder having a family, and heretofore designated as an exempt homestead, as prescribed by law, or hereafter designated for that purpose, as prescribed in the next section, is exempt from sale by virtue of an execution, issued upon a judgment, recovered for a debt contracted after the thirtieth day of April, eighteen hundred and fifty; unless the judgment was recovered wholly for a debt or debts, contracted before the designation of the property, or for the purchase-money thereof. But no property heretofore or hereafter designated as an exempt homestead, as prescribed by law, or by the next section, shall be exempt from taxation, or from sale for non-payment of taxes or assessments.

SECTION 1398. In order to designate property, to be exempted as prescribed in the last section, a conveyance thereof, stating, in substance, that it is designed to be held as a homestead, exempt from sale by virtue of an execution, must be recorded, as prescribed by law; or a notice, containing a full description of the property, and stating that it is designed to be so held, must be subscribed by the owner, acknowledged or proved, and certified, in like manner as a deed to be recorded in the county where the property is situated; and must be recorded in the office of the clerk of that county, in a book kept for that purpose, and styled the "homestead exemption book."

SECTION 1399. A lot of land, with one or more buildings thereon, owned by a married woman, and occupied by her as a residence, may be designated as her exempt homestead, as prescribed in the last section; and the property so designated is exempt from sale, by virtue of an execution, under the same circumstances, and subject to the same exceptions, as the homestead of a householder having a family.

SECTION 1400. The exemption, prescribed by the last three sections, continues, after the death of the person in whose favor the property was exempted, as follows:

1. If the decedent was a woman, it continues, for the benefit of her surviving children, until the majority of the youngest surviving child.

2. If the decedent was a man, it continues, for the benefit of his widow and surviving children, until the majority of the youngest surviving child, and until the death of the widow.

But the exemption ceases earlier, if the property ceases to be occupied, as a residence, by a person for whose benefit it may so continue, except as otherwise prescribed in the next section.

SECTION 1401. The right to exemption, of a person entitled thereto, as prescribed in the last four sections, is not affected by a suspension of the occupation of the exempt property, as a residence, for a period not exceeding one year, which occurs in consequence of injury to, or destruction of, the dwelling-house upon the premises.

[See last half of section 3131, Code of Civil Procedure, and section 1086, chapter 410, acts of 1882, following.]

Costs in actions by female employés.

(Page 643.)

SECTION 3131, (as amended by chapter 46, acts of 1890). In an action brought in a justice's court in the city of Brooklyn to recover a sum of money, for wages earned by a female employé other than a domestic servant, or for material furnished by such employé in the course of her employment, or in or about the subject-matter thereof, or for both, the plaintiff, if entitled to costs, recovers the sum of ten dollars as costs, in addition to the [usual] costs * * * unless the amount of damages recovered is less than ten dollars; in which case the plaintiff recovers the sum of five dollars as such additional costs. Where the employé is the plaintiff in such an action she is entitled, upon a settlement thereof, to the full amount of costs which she would have recovered if judgment had been rendered in her favor for the sum received by her upon the settlement. In such action brought in said court, if the plaintiff recover a judgment for a sum not exceeding fifty dollars, exclusive of costs, no property of the defendant shall be exempt from levy and sale, by virtue of an execution against property issued thereupon; and, if such an execution is returned wholly or partly unsatisfied, the clerk must, upon the application of the plaintiff, issue an execution against the person of the defendant for the sum remaining uncollected. A defendant arrested by virtue of an execution so issued against his person, must be actually confined in the jail and is not entitled to the liberties thereof; but he must be discharged after having been so confined fifteen days. After his discharge an execution against his person cannot be again issued upon the judgment, but the judgment creditor may enforce the judgment against property, as if the execution, from which the judgment debtor is discharged, had been returned without his being taken.

[See subject of exemptions immediately preceding and section 1086, acts of 1882, following.]

REVISED STATUTES—PENAL CODE, 1883.

Protection of employés as voters.

(Page 9.)

SECTION 41c, (as enacted by chapter 94, acts of 1890). It shall not be lawful for any employer in paying his employés the salary or wages due them to inclose their pay in "pay envelopes" upon which there is written or printed any political mottoes, devices or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employés. Nor shall it be lawful for any employer, within ninety days of general election to put up or otherwise exhibit in his factory, workshop or other establishment or place where his employés may be working, any hand-bill or placard containing any threat, notice or information that in case any particular ticket or candidate shall be elected, work in his place or establishment will cease, in whole or in part, or his establishment be closed up, or the wages of his workmen be reduced, or other threats express or implied, intended or calculated to influence the political opinions or actions of his employés. This section shall apply to corporations, as well as individuals, and any person or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

Conspiracy.

(Page 34.)

SECTION 168. If two or more persons conspire, either

* * * * * * *

(5) To prevent another from exercising a lawful trade or calling, or doing any other lawful act, by force, threats, intimidation, or by interfering or threatening to interfere with tools, implements, or property belonging to or used by another, or with the use or employment thereof; or

(6) To commit any act injurious to the public health, to public morals, or to trade or commerce, or for the perversion or obstruction of justice, or of the due administration of the laws;

Each of them is guilty of a misdemeanor.

SECTION 170. * * * the orderly and peaceable assembling or co-operation of persons employed in any calling, trade, or handicraft, for the purpose of obtaining an advance in the rate of wages or compensation, or of maintaining such rate, is not a conspiracy.

SECTION 171*a*, (as enacted by chapter 688, acts of 1887). Any person or persons, employer or employers of labor, and any person or persons of any corporation or corporations on behalf of such corporation or corporations, who shall hereafter coerce or compel any person or persons, employé or employés, laborer or mechanic, to enter into an agreement, either written or verbal from such person, persons, employé, laborer or mechanic, not to join or become a member of any labor organization, as a condition of such person or persons securing employment, or continuing in the employment of any such person or persons, employer or employers, corporation or corporations shall be deemed guilty of a misdemeanor. The penalty for such misdemeanor shall be imprisonment in a penal institution for not more than six months, or by a fine of not more than two hundred dollars, or by both such fine and imprisonment.

Sunday labor.

(Page 55.)

SECTION 263. All labor on Sunday is prohibited, excepting the works of necessity or charity. In works of necessity or charity is included whatever is needful during the day for the good order, health or comfort of the community.

SECTION 264, (as amended by chapter 519, acts of 1885). It is a sufficient defense to a prosecution for work or labor on the first day of the week that the defendant uniformly keeps another day of the week as holy time, and does not labor on that day, and that the labor complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week as holy time.

SECTION 266. All trades, manufactures and mechanical employments upon the first day of the week are prohibited, except that when the same are works of necessity that may be performed on that day in their usual and orderly manner, so as not to interfere with the repose and religious liberty of the community.

SECTION 269, (as amended by chapter 535, acts of 1887). Sabbath breaking is a misdemeanor, punishable by a fine not less than five dollars and not more than ten dollars or by imprisonment in a county jail not exceeding five days, or by both, but for a second or other offense, where the party shall have been previously convicted, it shall be punishable by a fine not less than ten dollars and not more than twenty dollars, and by imprisonment in a county jail not less than five nor more than twenty days.

Certain employments of children forbidden.

(Page 62.)

SECTION 292, (as amended by chapter 31, acts of 1886). A person who employs or causes to be employed, or who exhibits, uses, or has in custody, or trains for the purpose of the exhibition, use or employment of, any child apparently or actually under the age of sixteen years; or who having the care, custody or control of such a child as parent, relative, guardian, employer, or otherwise, sells, lets out, gives away, so trains, or in any way procures or consents to the employment, or to such training, or use, or exhibition of such child; or who neglects or refuses to restrain such child from such training, or from engaging or acting, either

(1) As a rope or wire walker, dancer, gymnast, wrestler, contortionist, rider or acrobat; or upon any bicycle or similar mechanical vehicle or contrivance; or,

(2) In begging or receiving or soliciting alms in any manner or under any pretense, or in any mendicant occupation; or in gathering or picking rags, or collecting cigar stumps, bones or refuse from markets; or,

(3) In peddling, singing or playing upon a musical instrument, or in a theatrical exhibition, or in any wandering occupation; or,

(4) In any illegal, indecent or immoral exhibition or practice; * * * or,

(5) In any practice or exhibition or place dangerous or injurious to the life, limb, health or morals of the child;

Is guilty of a misdemeanor. But this section does not apply to the employment of any child as a singer or musician in a church, school or academy, or in

teaching or learning the science or practice of music, or as a musician in any concert with the written consent of the mayor of the city, or the president of the board of trustees of the village where such concert takes place.

Coercion.

(Page 141.)

SECTION 653. A person, who with a view to compel another person to do or to abstain from doing an act which such other person has a legal right to do or to abstain from doing, wrongfully and unlawfully,

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(2) Deprives any such person of any tool, implement or clothing, or hinders him in the use thereof; or

(3) Uses or attempts the intimidation of such person by threats or force;

Is guilty of a misdemeanor.

Endangering life by refusal to labor.

(Page 146.)

SECTION 673. A person, who wilfully and maliciously, either alone or in combination with others, breaks a contract of service or hiring, knowing or having reasonable cause to believe, that the probable consequence of his so doing will be to endanger human life, or to cause grievous bodily injury, or to expose valuable property to destruction or serious injury, is guilty of a misdemeanor.

Attempting to obtain increase of wages not unlawful.

(Page 146.)

SECTION 675. * * * but nothing in this code contained shall be so construed as to prevent any person from demanding an increase of wages, or from assembling and using all lawful means to induce employers to pay such wages to all persons employed by them, as shall be a just and fair compensation for services rendered.

ACTS OF 1882.

THE NEW YORK CITY CONSOLIDATION ACT.

CHAPTER 410.—*Inspection, etc., of steam boilers.*

(Page 81.)

SECTION 310, (as amended by chapter 437, acts of 1885). Every owner, agent or lessee of a steam boiler or boilers in use in the city of New York shall annually, and at such convenient times and in such manner and in such form as may, by rules and regulations to be made therefor by the board of police, be provided, report to the said board the location of such steam boiler or boilers, and thereupon, and as soon thereafter as practicable, the sanitary company, or such member or members thereof as may be competent for the duty herein described, and may be detailed for such duty by the board of police, shall proceed to inspect such steam boiler or boilers, and all apparatus and appliances connected therewith; but no person shall be detailed for such duty except he be a practical engineer, and the strength and security of each boiler shall be tested by atmospheric and hydrostatic pressure; and every boiler or boilers so tested shall have, under the control of said sanitary company, such attachments, apparatus and appliances as may be necessary for the limitation of pressure, locked and secured in like manner as may be from time to time adopted by the United States inspectors of steam boilers, or the secretary of the treasury, according to act of Congress, passed July 25, 1866; and they shall limit the pressure of steam to be applied to or upon such boiler, certifying each inspection and such limit of pressure to the owner of the boiler inspected, and also to the engineer in charge of same, and no greater amount of steam or pressure than that certified in the case of any boiler shall be applied thereto. In limiting the amount of pressure, wherever the boiler under test will bear the same, the limit desired by the owner of the boiler shall be the one certified. Every owner, agent or lessee of a steam boiler or boilers in use in the city of New York shall, for the

inspecting and testing of such boiler or each of such boilers, as provided for in this act, and upon receiving from the board of police a certificate setting forth the location of the boiler inspected, the date of such inspection, the persons by whom the inspection was made, and the limit of steam or pressure which shall be applied to or upon such boiler or each of such boilers, pay annually to the treasurer of the board of police, for each boiler for the use of the police pension fund, the sum of two dollars, such certificate to continue in force for one year from the granting thereof, when it shall expire, unless sooner revoked or suspended. Such certificate may be renewed upon the payment of a like sum and like conditions, to be applied to a like purpose. It shall not be lawful for any person or persons, corporation or corporations, to have used or operated within the city of New York any steam boiler or boilers except for heating purposes and for railway locomotives without having first had such boiler or boilers inspected and tested, and procured for such boiler or each of such boilers so used or operated, the certificate herein provided for.

SECTION 311, (as amended by chapter 643, acts of 1886). It shall not be lawful for any person or persons to operate or use any steam boiler to generate steam, except for railway locomotive engines, and for heating purposes in private dwellings, and boilers carrying not over ten lbs. of steam and not over ten horse power or act as engineer for such purposes in the city of New York, without having a certificate of qualification therefor, from practical engineers detailed as such by the board of police, such certificate to be countersigned by the officer in command of the sanitary company of the police department of the city of New York, and to continue in force one year, unless sooner revoked or suspended. Such certificate may be revoked or suspended at any time by the board of police, upon the report of any two practical engineers, detailed as provided in this section, stating the grounds upon which such certificate should be revoked, or suspended. Where such certificate shall have been revoked, as provided in this section, a like certificate shall not in any case be issued to the same person within six months from the date of the revocation of the former certificate held by such person.

SECTION 312, (as amended by chapter 180, acts of 1884). A correct record in proper form shall be kept and preserved of all inspections of steam boilers made under the direction of the board of police, and of the amount of steam or pressure allowed in each case, and in cases where any steam boiler or the apparatus or appliances connected therewith shall be deemed by the board, after inspection, to be insecure or dangerous, the board may prescribe such changes and alterations as may render such boilers, apparatus and appliances secure and devoid of danger. And in the meantime, and until such changes and alterations are made and such appliances attached, such boiler, apparatus and appliances may be taken under the control of the board of police, and all persons prevented from using the same, and in cases deemed necessary the appliances, apparatus or attachments for the limitation of pressure may be taken under the control of the said board of police.

SECTION 313, (as amended by chapter 180, acts of 1884). It shall not be lawful for any person or persons to apply or cause to be applied to any steam boiler a higher pressure of steam than that limited for the same in accordance with the provisions of this chapter, and any person violating the provisions of the last preceding section shall be guilty of a misdemeanor. In case any owner of any steam boiler in the said city shall fail or omit to have the same reported for inspection, as provided by law, such boiler may be taken under the control of the board of police and all persons prevented from using the same until it can be satisfactorily tested, as hereinbefore provided for, and the owner shall in such case be charged with the expense of so testing it.

Convict labor.

(Page 104.)

SECTION 388. The said department [department of public charities and correction] is authorized to maintain on Hart's Island an industrial school; and in connection therewith is authorized to employ and use the labor of any person from any of the public institutions committed to its charge; * * *.

SECTION 399. Every person [confined in work house] whose age or health will permit shall be employed in getting out stone or in cultivating the grounds under used [*sic*] of the said department, [department of public charities and correction] or in manufacturing such articles as may be required for the ordinary use of the

institutions under the control of the said board of commissioners, [of public charities and correction] preparing and building sea walls around the islands or other places upon which the said public institutions now are of [or] may hereafter be located, or at such mechanical or other labor as on trial shall be found to suit the capacity of the individual. It shall be the duty of the department to use every proper means to furnish convicts and paupers with suitable employment by contract; such employment, however, not to conflict or come into competition with any mechanical or other employment pursued by the people of this state. * * *

SECTION 400. The hours of labor shall not exceed ten per day to each person subject to the discipline of the department. * * *.

SECTION 410. The commissioners, [of public charities and correction] when so authorized by the court of sessions, may bind out any minor who has been committed as a disorderly person, to some lawful calling, as a servant, apprentice, mariner, or otherwise, until he be of age; or if any person so committed be of age, said commissioners may, when so authorized, contract for his service with any person as a laborer, servant, apprentice, mariner, or otherwise, for not exceeding one year. Such binding out or contract, pursuant to this section, has the same effect as the indenture of an apprentice with his own consent and that of his parents, and subjects the person bound out or contracted to the same control of his master, and of the court of sessions, as if he was bound as an apprentice.

[On general subject of convict labor see chapters 21 and 470, act of 1884; chapter 323, of acts of 1887; chapter 586, acts of 1888; and chapter 382, acts of 1889, following; and page 2593, revised statutes of 1881, preceding.]

Property not exempt from execution upon judgment for work done by female employés.

(Page 302.)

SECTION 1086. No property now exempt by law shall be exempt from levy or sale, under an execution issued upon a judgment obtained in any court in the city of New York for work, labor, or services done or performed by any female employé, when the amount of such judgment does not exceed the sum of fifty dollars exclusive of costs. Whenever any execution issued upon such a judgment shall be returned unsatisfied, the clerk of the court wherein such judgment was obtained shall issue a further execution to any marshal of the city of New York commanding him to collect the amount due upon such judgment, or in default of payment thereof, to arrest the defendant in such execution and him safely convey to the jail or debtors' prison of the county of New York, and commanding the jailer of said jail to keep the said defendant without benefit of jail limits until the said defendant shall pay the said judgment, or be discharged according to law, but such imprisonment shall in no case extend beyond the period of fifteen days.

SECTION 1405. In an action, brought in either of those courts, [district courts of New York city] by a female to recover for services performed by her, if the plaintiff recovers a judgment for a sum not exceeding fifty dollars, exclusive of costs, no property of the defendant is exempt from levy and sale by virtue of an execution against property, issued thereupon; and, if such an execution is returned wholly or partly unsatisfied, the clerk must, upon the application of the plaintiff, issue an execution against the person of the defendant for the sum remaining uncollected. A defendant, arrested by virtue of an execution so issued against his person, must be actually confined in the jail, and is not entitled to the liberties thereof; but he must be discharged after having been so confined fifteen days. After his discharge, an execution against his person can not be issued upon the judgment, but the judgment creditor may enforce the judgment against property, as if the execution, from which the judgment debtor is discharged, had been returned without his being taken.

[See section 1390 and last half of section 3131, code of civil procedure, preceding.]

No court fees in actions brought by employés for wages.

(Page 359.)

SECTION 1416, (as amended by chapter 307, acts of 1887). * * * When the action is brought by an employé against * * * [his] employer for services performed by such employé, male or female, the clerks of the said district courts shall not, when the plaintiff's demand is less than fifty dollars and the plaintiff

is a resident of the city of New York, and proof by the plaintiff's own affidavit that he has a good and meritorious cause of action and of the nature of such action and affidavit of said plaintiff's residence shall be duly presented to and filed with the clerk of the district court, where such action should be brought, demand or receive any fees whatsoever from the plaintiff or his agents or attorneys in such action unless the plaintiff shall demand a trial by jury, in which case the plaintiff must pay to the clerk of the district court, where such action shall be pending, the sum of four dollars and fifty cents.

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Costs in actions by female employés.

(Page 360.)

SECTION 1424. In an action brought to recover a sum of money for wages earned by a female employee, other than a domestic servant; or for material furnished by such an employee, in the course of her employment, or in or about the subject-matter thereof, or for both, the plaintiff, if entitled to costs, recovers the sum of ten dollars as costs, in addition to the costs allowed in a district court, unless the amount of damages recovered is less than ten dollars; in which case, the plaintiff recovers the sum of five dollars as such additional costs. * * *

ACTS OF 1883.

CHAPTER 356.—*Bureau of labor statistics.*

SECTION 1. The governor shall, by and with the advice and consent of the senate, appoint, * * * triennially on the first Wednesday in April, some suitable person who shall be designated "commissioner of statistics of labor," with headquarters in the new capitol at Albany.

SECTION 2. The duties of such commissioner shall be to collect, assort, systematize and present in annual reports to the legislature, within ten days after the convening thereof in each year, statistical details relating to all departments of labor in the state, especially in relation to the commercial, industrial, social and sanitary condition of workingmen, and to the productive industries of the state.

SECTION 3, (as amended by chapter 205, acts of 1886). Said commissioner shall also have power to send for persons and papers, to examine witnesses under oath, to take depositions, to cause them to be taken by others by law authorized to take depositions; and said commissioner may depute any uninterested person to serve subpœnas upon witnesses who shall be summoned in the same manner and paid the same fees as witnesses before a county court: and any person or owner, operator, manager or lessee of any mine, factory, workshop, warehouse, elevator, foundry, machine shop, or other manufacturing establishment, or any agent or employé of such owner, operator, manager or lessee, who shall refuse to said commissioner admission therein for the purpose of inspection, or who shall, when requested by him, willfully neglect or refuse to furnish to him any statistical or other information relative to his lawful duties, which may be in their possession or under their control, or who shall willfully neglect or refuse, for thirty days, to answer questions by circular or upon personal application, or who shall knowingly answer any such questions untruthfully, or who shall refuse to obey the subpœnas and give testimony according to the provisions of this act, provided that no witness shall against his will be compelled to answer any question respecting his private affairs, shall for every such wilful neglect or refusal be deemed guilty of a misdemeanor, and on conviction therefor, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

ACTS OF 1884.

CHAPTER 21.—*Convict labor—Contract system prohibited.*

SECTION 1. The superintendent of state prisons shall not, nor shall any other authority whatsoever, renew or extend any existing or pending contract, or make any new contract for the employment of any convicts in any of the prisons, penitentiaries or reformatories within the state.

[On general subject of convict labor see page 2593, revised statutes of 1881, sections 383, 399, and 410 of chapter 410, acts of 1882, preceding; and chapter 470, acts of 1884; chapter 323, acts of 1887; chapter 586, acts of 1888; and chapter 382, acts of 1889, following.]

CHAPTER 272.—*Manufacture of cigars in tenement houses prohibited.*

SECTION 1. The manufacture of cigars or preparation of tobacco in any form on any floor, or in any part of any floor in any tenement-house is hereby prohibited if such floor or any part of such floor is by any person occupied as a home or residence for the purpose of living, sleeping, cooking or doing any household work therein.

SECTION 2. Any house, building or portion thereof occupied as the home or residence of more than three families, living independently of one another, and doing their cooking upon the premises, is a tenement-house within the meaning of this act.

SECTION 3. The first floor of said tenement-house on which there is a store for the sale of cigars and tobacco shall be exempt from the prohibition provided in section one of this act.

SECTION 4. It shall be the duty of every sanitary inspector of any city to which this act is applicable, to report any violation of this act coming to his knowledge forthwith to a police magistrate, and to procure the punishment of the person or persons having committed such violation; but this provision shall not be construed to preclude any other citizen from performing the duty herein assigned to said sanitary inspector.

SECTION 5. Every person who shall be found guilty of a violation of this act, or of having caused another to commit such violation, shall be deemed guilty of a misdemeanor and shall be punished for every offence by a fine of not less than ten dollars and not more than one hundred dollars, or by imprisonment for not less than ten days and not more than six months, or both such fine and imprisonment.

SECTION 6. This act shall apply only to cities having over five hundred thousand inhabitants.

CHAPTER 312.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1, (as amended by chapter 464, acts of 1887). In every public department and upon all public works of the state of New York, and of the cities, towns and villages thereof, * * * honorably discharged Union soldiers and sailors, shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved.

CHAPTER 315.—*Conditional sale of personal property.*

SECTION 1. In every contract for the conditional sale of goods and chattels hereafter made which shall be accompanied by an immediate delivery and be followed by an actual and continued change of possession of the things contracted to be sold, all conditions and reservations which provide that the ownership of such goods and chattels is to remain in the person so contracting to sell the same or other person than the one so contracting to buy them until said goods or chattels are paid for, or until the occurring of any future event or contingency shall be absolutely void as against subsequent purchasers and mortgagees in good faith, and as to them the sale shall be deemed absolute, unless such contract for sale with such conditions and reservations therein, or a true copy thereof shall be filed as directed in the succeeding section of this act.

SECTION 2, (as amended by chapter 488, acts of 1885). The instruments mentioned in the preceding section shall be filed in the several towns and cities of this state, where the person to whom such property is so contracted to be sold, if a resident of this state, shall reside at the time of the execution thereof; and if not a resident, then in the city or town where the property so contracted to be sold shall be at the time of the execution of such instrument. In the city of New York, such instrument shall be filed in the office of the register of the city, and, in the county of Kings, in the office of the register of said county. In the several cities of this state, other than the cities of New York and Brooklyn, and in the several towns of this state in which a county clerk's office is kept, in such office; and in each of the other towns in this state, in the office of the town clerk thereof. If the conditional vendee be a railroad corporation, the instrument mentioned in the preceding section shall be filed in the office of the clerk of each county through which its railroad is located, or, in counties where there is a register, in the office of the register, and such filing shall be deemed sufficient

for all the purposes of this act. Such registers and clerks are hereby required to file all such instruments aforesaid, presented to him respectively for that purpose, and to indorse thereon the time of receiving the same, and shall deposit the same in their respective offices, to be kept there for the inspection of all persons interested.

SECTION 3. The conditions and reservations specified in the first section of this act which may be in any instrument filed in pursuance of this act shall cease to be valid against subsequent purchasers or mortgagees in good faith after the expiration of one year from the filing of such instrument, and as to them the sale shall then be deemed absolute, unless, within thirty days next preceding the expiration of each and every term of one year after the filing of such instrument a true copy of such instrument together with a statement exhibiting the interest of the person so contracting to sell such property, in the property thereby claimed by him by virtue thereof, shall be again filed in the office of the clerk or register aforesaid of the town or city where the person to whom such property is so contracted to be sold shall then reside, if such person shall then be a resident of this state; and if not such resident, then in the office of the clerk or register of the town or city where the property so contracted to be sold was at the time of the execution of such instrument.

SECTION 4. The clerks of the several towns and counties of this state in whose offices contracts for the conditional sale of goods and chattels on credit are by this act required to be filed shall indorse on every such instrument or copy so filed the number thereof and enter such number and the names of all parties to such instrument and the amount thereby required to be paid and the future contingency or event required to occur before the ownership of the goods and chattels described therein shall pass from the person contracting to sell the same, the time when such amount will be due and the date of the filing of such instrument or copy, in the books kept in such offices for the entry of similar matters regarding mortgages of goods and chattels and in like manner as in cases where such mortgages are so filed, except that the name of the person in such instrument contracting to sell shall be entered in the column of mortgagees and the name of the person therein contracting to buy shall be entered in the column of mortgagors. For their services under this act such clerks shall receive the same fees they are now authorized to receive for like services in regard to mortgages of goods and chattels.

SECTION 5. A contract for the conditional sale of goods and chattels on credit filed as required by this act may be satisfied and discharged of record in the same manner, so far as is applicable, as may mortgages of goods and chattels which may now be filed in the offices of town or county clerks.

SECTION 7, (as amended by chapter 495, acts of 1886). This act shall not apply to household goods, pianos, organs, scales, engines and boilers, portable saw mills and saw machines, threshing machines and horse powers, mowing machines, reapers, and harvesters and grain drills, with their attachments; provided that the contract for the sale of the same shall be executed in duplicate, and one duplicate shall be delivered to the purchaser. In case household goods, pianos, organs, scales, engines and boilers, portable saw mills and saw machines, threshing machines and horse powers, mowing machines, reapers, and harvesters and grain drills, with the attachments, are sold upon the condition that the title shall remain in the vendor, or some other person than the purchaser, until the payment of the purchase price, or until the occurring of any future event or contingency, and the same are retaken by the vendor or his successor in interest, such property so retaken shall be retained for thirty days by the person by whom or in whose behalf the same has been so taken, during which time the purchaser or his successor in interest may fulfil such contract of purchase, and shall be entitled thereupon to receive such property.

After the expiration of such time all interest of the purchaser or his successor in interest in such property lawfully retaken under such contract shall cease.

CHAPTER 470.—*Contract labor of children in reformatories prohibited.*

SECTION 1. It shall be unlawful for the trustees or managers of any house of refuge, reformatory or other correctional institution, to contract, hire, or let by the day, week, or month, or any longer period, the services or labor of any child or children under, now or hereafter committed to or inmates of such institutions.

[On subject of convict labor see page 2593, revised statutes of 1881, sections 388, 399, and 410 of chapter 410, acts of 1882, and chapter 21 of acts of 1884, preceding; also chapter 323, acts of 1887, chapter 586, acts of 1888, and chapter 382, acts of 1889, following.]

ACTS OF 1885.

CHAPTER 314.—*Work on buildings—Safety of workmen.*

SECTION 1. A person employing or directing another to do or perform any labor in the erection, repairing, altering or painting of any house, building or other structure within this state, who shall knowingly or negligently furnish and erect, or cause to be furnished for erection, for and in the performance of said labor, such unsuitable or improper scaffolding, hoists, stays, ladders, or other mechanical contrivances as will not give proper protection to the life and limb of any person so employed or engaged, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not to exceed five hundred dollars, or imprisoned in a county jail for not less than thirty days or more than six months, or by both such fine and imprisonment, in the discretion of the court.

CHAPTER 376.—*Wages preferred—In payments by receiver.*

SECTION 1. Where a receiver of a corporation created or organized under the laws of this state and doing business therein, other than insurance and moneyed corporations, shall be appointed, the wages of the employees, operatives and laborers thereof shall be preferred to every other debt or claim against such corporation, and shall be paid by the receiver from the moneys of such corporation which shall first come to his hands.

ACTS OF 1886.

CHAPTER 261.—*Elevators.*

SECTION 1. All elevators in the city of Brooklyn which are used in any building in said city for the carrying of persons from one floor to another floor shall be examined, at least once every three months by an inspector who shall be detailed to make such examinations by the head of the department of buildings in said city.

SECTION 2. No elevator for the carrying of persons as aforesaid shall be run in the city of Brooklyn, without a certificate, which shall be renewed at least once every three months, being posted in a prominent place inside each and every such elevator, signed by an inspector of the department of buildings of the city of Brooklyn, and stating that the elevator has been examined and tested, and that it is safe for the carrying of persons; and in every instance the carrying capacity of each elevater shall be stated in such certificate.

SECTION 3. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars for the first offence, and not exceeding one hundred dollars for each subsequent offence.

CHAPTER 409.—*Employment, hours of labor, etc., of women and children, etc.*

SECTION 1, (as amended by chapter 398, acts of 1890). No person under eighteen years of age and no woman under twenty-one years of age employed in any manufacturing establishment, shall work therein, more than sixty hours in any one week nor more than ten hours in any one day, unless for the purpose of making a shorter work day on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such person or such woman shall so work during such week; and in no case shall any person under eighteen years of age, or any woman under twenty-one years of age, work in any such establishment after nine o'clock in the evening or before six o'clock in the morning of any day.

SECTION 2, (as amended by chapter 560, acts of 1889). No child under fourteen years of age shall be employed in any manufacturing establishment within this state. It shall be the duty of every person employing children to keep a register, in which shall be recorded the name, birthplace, age and place of residence of every person employed by him under the age of sixteen years; and it shall be unlawful for any manufacturing establishment to hire or employ any child under the age of sixteen years without there is first provided and placed on file an affidavit made by the parent or guardian, stating the age, date and place of birth of said child; if said child have no parent or guardian, then such affidavit

shall be made by the child, which affidavit shall be kept on file by the employer, and which said register and affidavit shall be produced for inspection on demand made by the inspector, assistant inspector, or any of the deputies appointed under this act.

SECTION 3, (as amended by chapter 398, acts of 1890). Every person, firm or corporation employing any person under eighteen years of age, or any woman under twenty-one years of age, in any manufacturing establishment shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours per day for each day of the week required of such persons, and in every room where children under sixteen years of age are employed, a list of their names with their ages respectively.

SECTION 4, (as amended by chapter 560, acts of 1889). No child under the age of sixteen years shall be employed in any manufacturing establishment who can not read and write simple sentences in the English language, except during the vacation of the public schools in the city or town where such minor lives. The factory inspector, assistant inspector and deputy inspectors shall have power to demand a certificate of physical fitness from some regular physician in the case of children who may seem physically unable to perform the labor at which they may be employed, and shall have power to prohibit the employment of any minor that can not obtain such a certificate.

SECTION 5, (as amended by chapter 398, acts of 1890). The words "manufacturing establishment" wherever used in this act, shall be construed to mean any place where goods or products are manufactured, repaired, cleaned or sorted, in whole or in part; but no other person or corporation employing less than five persons or children, excepting in any of the cities of this state, shall be deemed a manufacturing establishment within the meaning of this act.

CHAPTER 409.—*Factories and workshops.*

SECTION 6, (as amended by chapter 398, acts of 1890). * * * the governor shall, by and with the advice and consent of the senate, appoint a factory inspector; and * * *. an assistant factory inspector. * * * The factory inspector is hereby authorized to appoint from time to time not exceeding eight men and not exceeding eight women to be deputy factory inspectors, and to remove the same at any time. The term of office of the factory inspector and of the assistant factory inspector shall be three years each. * * *

SECTION 8, (as amended by chapter 398, acts of 1890). It shall be the duty of the owner, agent or lessee of any manufacturing establishment where hoisting-shafts or well-holes are used, to cause the same to be properly and substantially inclosed or secured, if, in the opinion of the factory inspector, * * * it is necessary to protect the life or limbs of those employed in such establishments.

It shall also be the duty of the owner, agent or lessee of each of such establishments to provide or cause to be provided such proper trap or automatic doors, so fastened in or at all elevator ways as to form a substantial surface when closed, and so constructed as to open and close by action of the elevator in its passage either ascending or descending; but the requirements of this section shall not apply to passenger elevators that are enclosed on all sides.

SECTION 9, (as amended by chapter 398, acts of 1890). Proper and substantial hand rails shall be provided on all stair-ways in manufacturing establishments, and where, in the opinion of the factory inspector, * * * it is necessary, the steps of said stairs in all such establishments shall be substantially covered with rubber, securely fastened thereon, for the better safety of persons employed in said establishments. The stairs shall be properly screened at the sides and bottom, and all doors leading in or to such factory shall be so constructed as to open outwardly where practicable, and shall be neither locked, bolted nor fastened during working hours.

SECTION 10, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). If, in the opinion of the factory inspector, it is necessary to insure the safety of the persons employed in any manufacturing establishment, three or more stories in height, one or more fire-escapes, as may be deemed by the factory inspector as necessary and sufficient therefor, shall be provided on the outside of such establishment, connecting with each floor above the first, well fastened and secured and of sufficient strength, each of which fire-escapes shall have landings or balconies, not less than six feet in length and three feet in width, guarded by iron railings not less than three feet in height, and embracing at least two windows at each story and connecting with the interior by easily accessible and un-

obstructed openings, and the balconies or landings shall be connected by iron stairs not less than twenty-four inches wide, the steps not to be less than six inches tread, placed at not more than an angle of forty-five degrees slant, and protected by a well secured hand-rail on both sides with a twelve-inch wide drop-ladder from the lower platform reaching to the ground. Any fire-escape so constructed shall be sufficient. Any other plan or style of fire-escape shall be sufficient, if approved by the factory inspector, but if not so approved, the factory inspector may notify the owner, proprietor or lessee of such establishment or of the building * * *, in writing, that any such other plan or style of fire-escape is not sufficient, and may by an order in writing, served in like manner, require one or more fire-escapes, as he shall deem necessary and sufficient, to be provided for such establishment, at such locations and of such plan and style as shall be specified in such written order. Within twenty days after the service of such order, the number of fire-escapes required in such order for such establishment shall be provided therefor, each of which shall be either of the plan and style and in accordance with the specifications in said order required, or of the plan and style in this section above described and declared to be sufficient. The windows or doors to each fire-escape shall be located as far as possible consistent with accessibility, from the stair ways and elevator hatchways or openings, and the ladder thereof shall extend to the roof. Stationary stairs or ladders shall be provided on the inside of each such establishments from the upper story to the roof, as a means of escape in case of fire.

SECTION 11, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). It shall be the duty of the owner, agent, superintendent or other person having charge of each manufacturing establishment, or of any floor or part thereof, to report in writing to the factory inspector all accidents or injury done to any person in such factory, within forty-eight hours of the time of the accident, stating as fully as possible the extent and cause of such injury, and the place where the injured person has been sent. The factory inspector * * * (is) hereby authorized and empowered to fully investigate the causes of such accidents, and to require such precautions to be taken as will in their judgment prevent the occurrence of similar accidents thereafter.

SECTION 12, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). It shall be the duty of the owner of any manufacturing establishment or his agents, superintendent or other person in charge of the same, to furnish and supply, or cause to be furnished and supplied therein, in the discretion of the factory inspector * * *, where machinery is in use, belt shifters or other safe mechanical contrivances, for the purpose of throwing on or off belts or pulleys; and wherever possible machinery therein shall be provided with loose pulleys; all vats, pans, saws, planers, cogs, gearing and machinery of every description therein shall be properly guarded. Exhaust fans shall be provided for the purpose of carrying off dust from emery wheels and grindstones, and dust-creating machinery therein. No person under eighteen years of age and no woman under twenty-one years of age shall be allowed to clean machinery therein while in motion.

SECTION 13, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). A suitable and proper wash-room and water-closets shall be provided in each manufacturing establishment, and such water-closets shall be properly screened and ventilated and be kept at all times in a clean condition, and if women or girls are employed in any such establishment, the water-closets used by them shall be separate and apart from those used by men. A dressing room shall be provided for women and girls, when required by the factory inspector, in any such establishment in which women and girls shall be employod.

SECTION 14, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). Not less than forty-five minutes shall be allowed for the noon-day meal in any manufacturing establishment in this state. The factory inspector * * * shall have power to issue written permits in special cases, allowing shorter meal-time at noon, and such permit must be conspicuously posted in the main entrance in the establishment, and such permit may be revoked at any time the factory inspector deems necessary, and shall only be given where good cause can be shown.

SECTION 15, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). It shall be the duty of the factory inspector * * * to cause this act to be enforced, and to cause all violators of this act to be prosecuted, and for that purpose they and each of them are hereby empowered to visit and inspect at all reasonable hours and as often as shall be practicable and necessary, all manufacturing establishments in this state. * * * The factory inspector, assistant factory inspector and each deputy factory inspector shall have the same

powers as a notary public to administer oaths and take affidavits in matters connected with the enforcement of the provisions of this act.

SECTION 16, (added by chapter 462, acts of 1887). The district attorney of any county of this state is hereby authorized upon the request of the factory inspector, or either of his deputies, or of any other person of full age, to commence and prosecute to termination before any recorder, police justice, or court of record, in the name of the people of the state, actions or proceedings against any person or persons reported to him to have violated the provisions of this act.

SECTION 17, (added by chapter 462, acts of 1887, and amended by chapter 561, acts of 1889, and renumbered by chapter 398, acts of 1890). Any person who violates or omits to comply with any of the foregoing provisions of this act, or who suffers or permits any child to be employed in violation of its provisions, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than twenty nor more than one hundred dollars, or by imprisonment for not less than thirty nor more than ninety days, or by both such fine and imprisonment.

SECTION 21, (added by chapter 462, acts of 1887, and amended by chapter 398, acts of 1890). A copy of this act shall be posted in each work-room of every manufacturing establishment in this state, where persons are employed who are affected by the provisions of this act.

CHAPTER 624.—*Inspection of steam boilers.*

SECTION 1. * * * Every owner of a steam boiler or boilers, or steam generator or generators, in use in the city of Brooklyn shall, annually, and at such times and in such manner and such form as may by rules and regulations be made therefor by the commissioner, report to the commissioner the locality of such steam boiler or boilers, or steam generator or generators; thereupon, or as soon thereafter as practicable the commissioner shall cause to be inspected such steam boiler or boilers, or steam generator or generators, and all apparatus and appliances connected therewith, but no person shall perform such duties unless he is a practical engineer, and the strength and security of each boiler shall be tested by hydrostatic pressure; and they shall limit the pressure of steam to be applied to or upon such boiler or steam generator, certifying each inspection and such limit of pressure to the owner of the boiler or steam generator inspected, and also to the engineer in charge of the same; and no greater amount of steam or pressure than that certified in the case of any boiler or steam generator shall be applied thereto. In limiting the amount of pressure, wherever the boiler or steam generator under test will bear the same, the limit desired by the owner of the boiler or steam generator shall be the one certified.

SECTION 2. * * * Any person applying, or causing to be applied, to any steam boiler a higher pressure of steam than that limited for the same in accordance with the provisions of this act, shall be guilty of a misdemeanor, and whenever any owner of any steam boiler, in the city of Brooklyn, shall fail or omit to have the same reported for inspection, as provided for by this act, such boiler may be taken under the control of the commissioner, and all persons prevented from using the same until it can be satisfactorily tested as herein provided for; and the owner shall, in such case, be charged with the expense of so testing it. For the purpose of carrying out the provisions of the last three sections, the commissioner shall appoint not to exceed six boiler inspectors, who shall be skilled machinists, who with the present boiler inspectors shall possess the same powers and privileges as members of the police force.

SECTION 3. The provisions of this act shall not apply to any steam generator or generators used for heating purposes.

ACTS OF 1887.

CHAPTER 63.—*Arbitration of labor disputes.*

SECTION 1. Whenever any grievance or dispute of any nature shall arise between any employer and his employés, it shall be lawful to submit the same, in writing, to a board of arbitrators for hearing and settlement. Said board shall consist of three persons. When the employés concerned are members in good standing of any labor organization, which is represented by one or more delegates in a central body, the said body shall have power to designate one of said arbitrators, and the employer shall have power to designate one other of said arbitrators, and the said two arbitrators shall designate a third person, as arbitrator, who shall be chairman of the board. In case the employés concerned in

any grievance or dispute are members in good standing of a labor organization which is not represented in a central body, then the organization of which they are members shall have the power to select and designate one arbitrator for said board, and said board shall be organized as hereinbefore provided. And in case the employés concerned in any grievance or dispute are not members of any labor organization, then a majority of said employés, at a meeting duly held for that purpose, shall designate one arbitrator for said board, and the said board shall be organized as hereinbefore provided. In all cases of arbitration the grievance or matter of dispute shall be succinctly and clearly stated in writing, signed by the parties to the arbitration or some duly authorized person on their behalf, and submitted to such board of arbitration.

SECTION 2. Each arbitrator so selected shall sign a consent to act as such, and shall take and subscribe an oath before an officer authorized to administer oaths, to faithfully and impartially discharge his duties as such arbitrator, which consent and oath may be filed in the office of the clerk of the county where such dispute arises. When the said board is ready for the transaction of business it shall select one of its number to act as secretary, and the parties to the dispute shall receive notice of a time and place of hearing. The chairman shall have power to administer oaths and to issue subpœnas for the production of books and papers, and for the attendance of witnesses, to the same extent that such power is possessed by the courts of record or the judges thereof in this state. The board * * * shall hear and examine such witnesses as may be brought before the board, and such other proof as may be given relative to the matter in dispute.

SECTION 3. After the matter has been fully heard, the said board, or a majority of its members, shall within ten days render a decision thereon, in writing, signed by them, giving such details as will clearly show the nature of the decision and the points disposed of. Such decision shall be a settlement of the matter referred to said arbitrators unless an appeal is taken therefrom as is hereinafter provided. The decision shall be in duplicate, one copy of which shall be filed in the office of the clerk of the county, and the other transmitted to the secretary of the state board of mediation and arbitration, hereinafter mentioned, together with the testimony taken before said board.

SECTION 4. When the said board shall have rendered its decision its power shall cease, unless there may be in existence at the time other similar grievances or disputes between the same classes of persons, and in such case such persons may submit their differences to the said board, which shall have power to act, and arbitrate and decide upon the same as fully as if said board was originally created for the settlement of such other difference or differences.

SECTION 5. * * * the governor shall, with the advice and consent of the senate, appoint a state board of mediation and arbitration, to consist of three competent persons, each of whom shall hold his office for the term of three years, * * *. One of said persons shall be selected from the party which at the last general election cast the greatest number of votes for governor of this state, and one of said persons shall be selected from the party which at the last general election cast the next greatest number of votes for governor of this state, and the other of said persons shall be selected from a bona fide labor organization of this state. * * * Said board shall have a clerk or secretary who shall be appointed by the board to serve three years, whose duty it shall be to keep a full and faithful record of the proceedings of the board, and also all documents and testimony forwarded by the local boards of arbitration, * * *. He shall have power under the direction of the board, to issue subpœnas, to administer oaths in all cases before said board, to call for and examine books, papers and documents of any parties to the controversy, with the same authority to enforce their production as is possessed by the courts of record or the judges thereof, in this state. Said arbitrators and clerk shall take and subscribe the constitutional oath of office, and be sworn to the due and faithful performance of the duties of their respective offices before entering upon the discharge of the same. * * *

SECTION 6. An appeal may be taken from the decision of any local board of arbitration within ten days after the rendition and filing of such decision. It shall be the duty of said state board of mediation and arbitration, to hear and consider appeals from the decisions of local boards, and promptly to proceed to the investigation of such cases, and the decision of said board thereon shall be final and conclusive in the premises upon both parties to the arbitration. Such decision shall be in writing, and a copy thereof shall be furnished to each party. Any two of the arbitrators shall constitute a quorum for the transaction of business,

and may hold meetings at any time or place within the state. Examinations or investigations ordered by the board may be held and taken by and before any one of their number, if so directed. But the proceedings and decision of any single arbitrator shall not be deemed conclusive until approved by the board or a majority thereof. Each arbitrator shall have power to administer oaths.

SECTION 7. Whenever any grievance or dispute of any nature shall arise between any employer and his employés, it shall be lawful for the parties to submit the same, directly to said state board in the first instance, in case such parties elect to do so, and shall jointly notify said board or its clerk, in writing, of such election. Whenever such notification to said board or its clerk is given, it shall be the duty of said board to proceed, with as little delay as possible, to the locality of such grievance or dispute, and inquire into the cause or causes of grievance or dispute. The parties to the grievance or dispute shall thereupon submit to said board, in writing, succinctly, clearly and in detail, their grievances and complaints and the cause or causes thereof, and severally agree in writing, to submit to the decision of said board as to matters so submitted, and a promise or agreement to continue on in business or at work, without a lock out or strike until the decision of said board, provided it shall be rendered within ten days after the completion of the investigation. The board shall thereupon proceed to fully investigate and inquire into the matters in controversy, and to take testimony under oath in relation thereto, and shall have power by its chairman or clerk, to administer oaths, to issue subpœnas for the attendance of witnesses, the production of books and papers, to the same extent as such power is possessed by courts of record or the judges thereof, in this state.

SECTION 8. After the matter has been fully heard, the said board, or a majority of its members, shall within ten days, render a decision thereon in writing, signed by them or a majority of them, stating such details as will clearly show the nature of the decision and the points disposed of by them. The decision shall be in triplicate, one copy of which shall be filed by the clerk of the board in the clerk's office of the county where the controversy arose, and one copy shall be served on each of the parties to the controversy.

SECTION 9. Whenever a strike or lock out shall occur, or is seriously threatened in any part of the state, and shall come to the knowledge of the board, it shall be its duty, and it is hereby directed to proceed, as soon as practicable, to the locality of such strike or lock out and put themselves in communication with the parties to the controversy, and endeavor by mediation to effect an amicable settlement of such controversy; and if in their judgment it is deemed best, to inquire into the cause or causes of the controversy, and to that end the board is hereby authorized to subpœna witnesses, compel their attendance, and send for persons and papers, in like manner and with the same powers as it is authorized to do by section 7 of this act.

SECTION 11. Said board shall make a yearly report to the legislature, and shall include therein such statements, facts and explanations, as will disclose the actual working of the board, and such suggestions as to legislation, as may seem to them conducive to harmonizing the relations of, and disputes between employers and the wage-earning masses, and the improvement of the present system of production.

SECTION 13. Whenever the term "employer" or "employers" is used in this act it shall be held to include "firm," "joint-stock association," "company," or "corporation," as fully as if each of the last-named terms was expressed in each place.

[A previous act (chapter 593, acts of 1886) similar in terms to the above act has not been in terms repealed, but is presumed to be superseded by the above act.]

CHAPTER 323.—*Marking of convict-made goods.*

SECTION 1. All goods, wares and merchandise made by convict labor in any penitentiary, prison, reformatory or other establishment in which convict labor is employed in any state, except the state of New York and imported, brought or introduced into the state of New York, shall before being exposed for sale be branded, labelled or marked as hereinafter provided, and shall not be exposed for sale in any place within this state without such brand, label or mark.

SECTION 2. The brand label or mark hereby required shall contain at the head or top thereof, the words "convict made," followed by the year and name of the penitentiary, prison, reformatory or other establishment in which it was made, in plain English lettering of the style and size known as grand [*sic*] primer Roman condensed capitals. The brand or mark shall in all cases, where the

nature of the article will permit, be placed upon the same, and only where such branding or marking is impossible shall it be placed upon the box or other covering of the same or be attached to the article as a label. Said brand or mark shall be placed upon the most conspicuous part of the article or its covering, and said label, when used instead of a brand or mark, shall be attached in the most conspicuous place.

SECTION 3. It shall not be lawful for any person dealing in this state in any such convict made goods, wares or merchandise, manufactured in any state, except the state of New York, to have the same in his possession for the purpose of sale, or to offer the same for sale, without the brand, mark or label required by this act or to remove or to deface such brand, mark or label. Any person offending against the provisions of this act shall be * * * sentenced to pay a fine not exceeding ten hundred dollars or to be imprisoned for a term not exceeding twelve months or both, in the discretion of the court.

[On general subject of convict labor see page 2593, revised statutes of 1881; sections 388, 399, and 410 of chapter 410, acts of 1882; and chapters 21 and 470, acts of 1884, preceding; also, chapter 586, acts of 1888 and chapter 382, acts of 1889, following.]

CHAPTER 529.—*Hours of labor—Surface and elevated railroads.*

SECTION 1. Ten hours' labor to be performed within twelve consecutive hours, with reasonable time for meals, shall constitute a day's labor in the operation of all street surface and elevated railroads owned or operated by corporations incorporated under the laws of this state, whose main line of travel, or whose routes lie principally within the corporate limits of cities of more than one hundred thousand inhabitants, whatever motive power may be used in the operation of such railroads.

SECTION 2. It shall be a misdemeanor for any officer or agent of any such corporation to exact from any of its employés more than ten hours' labor, the same to be performed within twelve consecutive hours, with not less than one-half hour for dinner, constituting a day: *Provided, however*, That in cases of accident or unavoidable delay, extra labor may be permitted for extra compensation.

SECTION 3. This act shall not affect contracts now in force, nor apply to existing corporations whose charters are not subject to alteration, modification or appeal.

ACTS OF 1888.

CHAPTER 334.—*Industrial education in public schools.*

SECTION 1. Boards or departments of education of cities and villages, and of union free schools and trustees of public school districts are hereby authorized and empowered to establish and maintain a department or departments in the schools under their charge for industrial training and for teaching and illustrating the manual or industrial arts, and the principles underlying the same; and for that purpose they are respectively authorized to purchase and use such materials and apparatus, and to establish and maintain such shops, and to employ such instructor or instructors, in addition to the other teachers in said schools, as in their judgment shall be deemed necessary or proper whenever the authorities or electors respectively now authorized by law to raise money by taxation for school purposes, shall make provisions for the maintenance of such departments.

SECTION 3. The state normal and training schools which are or hereafter may be established in this state, hereby are and shall be required to include in their courses of instruction the principles underlying the manual of industrial arts, and also the practical training in the same, to such an extent as the superintendent of public instruction may prescribe, and to such further extent as the local boards respectively of said normal and training schools may prescribe.

CHAPTER 410.—*Regulation of intelligence offices, etc.*

SECTION 1. From and after the passage of this act no person shall engage in the business of keeping an intelligence office, employment bureau, or other agency in the city of New York, where a fee is charged for registration, or for the purpose of procuring, or assisting to procure employment, or situations of

any kind, or for furnishing help to any person either in or out of said city, without first procuring a license therefor from the mayor of said city, under a penalty of not more than fifty dollars fine for each o ence, said fine to be imposed by a police magistrate, who shall have power to commit the person so offending for a period not exceeding thirty days in default of paym nt of said fine. And no license shall be granted for such purpose except to persons of good general character, who shall be required to furnish to said mayor satisfactory proof of such fact. And in case any person shall be charged a fee for the purpose of obtaining employment or a situation, by any such intelligence office or employment agency bureau, and it shall be proved that no such employment or situation was to be obtained, or any vacancies existing at the place to which such persons be sent, then the keeper of said office or agency shall be liable to said person for the fare paid by him or her in going to and returning from said place, and should the keeper of said office or agency fail to pay such fare, the mayor may revoke the license. Every keeper of such intellig nce office, employment agency or other place kept for the purpose of procuring employment or situations, is hereby required to give to each person from whom they accept a fee, a receipt stating the amount so paid, and the character of the situation or employment they agree to procure for such person, specifying the time in which such employment or situation is to be furnished. And in case of failure to furnish such employment to such applicant, then said keeper of said intelligence office or employment agency shall refund the full amount of such fee to the person by whom such fee was paid.

SECTION 2. Every person engaged in the business of keeping an intelligence office, employment agency or other place where employment or situations are procured, in the city of New York, shall have on the back of each and every receipt, given by them for fees received for the procuring of employment or situations, a copy of the first section of this act printed clearly and legibly in plain type, and a failure to comply with this provision of this section shall be deemed a sufficient cause for the forfeiture of the license of the person violating the same.

SECTION 3. The mayor may require from each person licensed, or applying for a license under this act, a bond, with a good and sufficient surety, conditioned for the faithful observance of the provisions contained therein.

SECTION 4. Each license shall designate the house in which the person licensed shall keep his office and the number of such license, and shall continue and be in force until the first Tuesday of May next ensuing the date thereof, and no longer, unless sooner revoked by the mayor.

CHAPTER 545.—*Free lectures for working people.*

SECTION 1. The board of education of the city of New York is hereby authorized and empowered to provide for the employment of competent lecturers to deliver lectures on the natural sciences and kindred subjects in the public schools of said city in the evenings for the benefit of workingmen and workingwomen.

SECTION 2. The said board of education shall have power to purchase the books, stationery, charts and other things necessary and expedient to successfully conduct said lectures which it shall have power to direct.

SECTION 3. No admission fee shall be charged, and at least one school in each ward of said city, where practicable, shall be designated by said board of education for the purpose of carrying out the provisions of this act, and at least three lectures shall be delivered in each school in each week, between the first day of October and the thirty-first day of March, in each year (excepting the two weeks preceding, and the week fol'owing the first day of January, in each year), which shall be advertised in a daily newspaper published in said city at least one week in advance of the delivery thereof.

CHAPTER 586.—*Convict labor.*

SECTION 1. No motive power machinery for manufacturing purposes shall be placed or used in any of the penal institutions of the state; and no person in such institutions shall be required or allowed to work, while under sentence thereto, at any trade or industry where his labor, or the production or profit of his labor, is farmed out, c ntracted, given or sold to any person or persons whomsoever.

SECTION 2. The superintendent of state prisons, and all other officers having in charge the management of the penal institutions of the state, shall hereafter cause to be manufactured therein by the inmates thereof, such articles only as

are commonly needed and used in the public institutions of this state, for clothing and other necessary supplies of such institutions and the inmates thereof; and all the articles manufactured in such penal institutions, not required for use therein shall be furnished to the several institutions, supported in whole or in part by the state, for the use of their inmates, upon the requisitions of the trustees or managers thereof, upon the superintendent of state prisons, and no article, so manufactured, shall be purchased for the use of such inmates unless the same can not be furnished upon such requisitions.

[On general subject of convict labor see page 2593, revised statutes of 1881; sections 388, 399, and 410 of chapter 410, acts of 1882; chapters 21 and 470, acts of 1884; and chapter 323, acts of 1887; also, chapter 382, acts of 1889, following.]

ACTS OF 1889.

CHAPTER 380.—*Citizens of state preferred in employment on public works.*

SECTION 2. In all cases where laborers are employed on any public work in this state, preference shall be given to citizens of the state of New York.

CHAPTER 381.—*Payment of wages.*

SECTION 1. Every manufacturing, mining or quarrying, mercantile, railroad, street railway, canal, steamboat, telegraph and telephone corporation, and every incorporated express company, and water company not municipal, shall pay to each and every employé engaged in its business the wages earned by such employé in cash; and it shall not be lawful for any of the above-named companies or corporations to pay their employés in their own scrip or that of others commonly known as store money orders.

SECTION 2. Any corporation violating any of the provisions of this act shall be punished by a fine not exceeding fifty, and not less than ten dollars, on each complaint on which it is convicted, provided complaint for such violation is made within thirty days from the date thereof.

CHAPTER 382.—*Convict labor.*

SECTION 3. The managers of the New York State Reformatory at Elmira and the managing authorities of any of the penitentiaries or other penal institutions of this state are hereby authorized to conduct the labor of the prisoners therein respectively under the public-account system, or piece-price system, in like manner and subject to like restrictions as labor is authorized by title two [page 2593] * * * of the revised statutes, as hereby amended, to be conducted in the state prisons. * * *

[On general subject of convict labor see page 2593, revised statutes of 1881; sections 388, 399, and 410 of chapter 410, acts of 1882; chapters 21 and 470, acts of 1884; chapter 323, acts of 1887; chapter 586, acts of 1888, and chapter 382, acts of 1889.]

SECTION 117, (added by chapter 559, acts of 1890). Any contract made by the superintendent, agent or warden of any prison, or by any officer or any other authority whatsoever, of any prison, reformatory, penitentiary or other penal institution of this state, in violation of, or contrary to, the provisions of the act hereby amended, or contrary to, or in violation of, chapter twenty-one of the laws of eighteen hundred and eighty-four, shall be null and void. It shall be the duty of any such officer or authorities to furnish to the attorney-general, upon demand therefor, a true copy, if in writing, and if not, in substance, of any contract made by such officer or authorities, relating in any way to the system of labor adopted, or to the employment, of prisoners in any of said prisons, reformatories, penitentiaries or other penal institutions. Whenever the attorney-general shall be satisfied that any contract made as aforesaid is contrary to or in violation of this act hereby amended, or of said chapter twenty-one of the laws of eighteen hundred and eighty-four, or that any of the officers or authorities aforesaid have entered into or are engaged in any contract or arrangement for the labor of prisoners, or relating to the system adopted or continued in said institutions, and which contract or arrangement is contrary to or in violation of law as aforesaid, if he shall be of the opinion that the facts require such action, he is hereby authorized to bring an action in the supreme court in the name of the people of the state of New York, in any county which he may select, for the purpose of testing

the validity of any contract or arrangement made by any of the officers herein named, relating in any way to the system of labor adopted, or the employment of prisoners in any of said prisons, reformatories, penitentiaries or other penal institutions, or to determine the validity of any act or thing done by any officer herein mentioned, which act or thing shall be alleged to have been in violation of the act hereby amended, or of chapter twenty-one of the laws of eighteen hundred and eighty-four. Any party to such contract, agreement or arrangement as aforesaid, or interested in the determination of such action, shall be made defendant, and pending the trial or hearing of the facts as alleged, or of any issue made as aforesaid, the court shall, upon notice of the attorney-general, and upon a petition duly verified showing the making of any contract or arrangement in violation of the provisions of the act hereby amended, or of said chapter twenty-one of the laws of eighteen hundred and eighty-four, or the doing of any act or thing by any of the parties defendant, in violation of either of said acts, grant an injunction order, restraining the parties named in said order from the further prosecution of the business complained of, or from the further performance of the contract or arrangement claimed to have been entered into as aforesaid, and to restrain and enjoin such officer or officers from the further continuance of any act alleged to be in violation of the act hereby amended, or of the said chapter twenty-one of the laws of eighteen hundred and eighty-four. And any disobedience of such injunction order shall be punishable as provided by chapter one, title one, article two of the code of civil procedure. And upon any trial had, judgment shall follow the findings of fact made by the court or jury, as in other cases, and with costs, in the discretion of the court.

CHAPTER 385.—*Trade marks of trade unions, etc.*

SECTION 1. Every union or association of working men or women, adopting a label, mark, name, brand or device, intended to designate the products of the labor of members of such union or association of working men or women, shall in order to obtain the benefits of this act, file duplicate copies of such label, mark, name, brand or device in the office of the secretary of state, who shall, under his hand and seal, deliver to the party filing or registering the same a certified copy and a certificate of the filing thereof, * * *.

SECTION 2. Every union or association of working men or women adopting such label, mark, name, brand, or device, and filing the same as specified * * * may proceed, by suit in any of the courts of record of the state, to enjoin the manufacture, use, display or sale of counterfeits or colorable imitations of such label, mark, name, brand or device, or of goods bearing the same; and the court having jurisdiction of the parties shall grant an injunction restraining such wrongful manufacture, use, display or sale of such counterfeits or colorable imitations, and of goods bearing the same, and shall award to the complainants such damages resulting from such wrongful manufacture, use, display or sale, as may be proved, and shall require the defendant to pay to the complainants the profits derived from such wrongful manufacture, use, display or sale, or both profits and damages.

SECTION 3. In like manner the courts of record of this state shall in a suit brought by a union or association of working men or women, restrain by injunction every unauthorized use or display by others of the genuine labels, marks, names, brands or devices registered in the manner specified * * * in all cases where such use or display is not authorized by the owner or owners thereof; and shall award damages and profits in such cases the same as in cases of the use of counterfeited labels, marks names, brands or devices.

SECTION 4. In no case shall the certificate from the secretary of state, obtained in conformity with the first section of this act, be assignable by the party to whom the same is issued.

CHAPTER 524.—*Safety couplers on engines and freight cars.*

SECTION 1. All persons and corporations operating any line or lines of railway by steam power in this state shall, after the first day of November, one thousand eight hundred and ninety-two, equip all of their own engines and freight cars run and used in freight trains, or other trains in this state, with such automatic self couplers: and it shall be unlawful after that date, to run or operate in this state any freight cars belonging to such persons or corporations without having the same equipped with the appliances above mentioned: *Provided*, That it shall be lawful in case of accident, or other emergency, to temporarily dispense with the use of such appliances.

SECTION 2. In special cases the railroad commissioners of this state may extend the time for compliance with this act for a period not exceeding one year.

SECTION 3. Any person or corporation operating a line of railway by steam power in this state who shall fail or neglect to comply with the provisions of this act shall be guilty of a misdemeanor, and on conviction, shall be punished by a fine of five hundred dollars for each offence: *Provided*, That employés shall not be deemed guilty or subject to punishment under this act.

ACTS OF 1890.

CHAPTER 262.—*Protection of employés as voters.*

SECTION 36. Any person entitled to vote at a general election, held within this state, shall, on the day of such election, be entitled to absent himself from any service or employment in which he is then engaged or employed, for a period of two hours between the time of opening and the time of closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made on account of such absence from his usual salary or wages: *Provided, however*, That application shall be made for such leave of absence prior to the day of election. The employer may specify the hours during which such employé may absent himself as aforesaid. Any person or corporation who shall refuse to an employé the privilege hereby conferred, or who shall subject an employé to a penalty or reduction of wages because of the exercise of such privilege, or who shall, directly or indirectly, violate the provisions of this act, shall be deemed guilty of a misdemeanor.

CHAPTER 388.—*Payment of wages.*

SECTION 1. Every manufacturing, mining or quarrying, lumbering, mercantile, railroad, surface, street, electric and elevated railway (except steam surface railroads), steamboat, telegraph, telephone and municipal corporation, and every incorporated express company and water company shall pay weekly, each and every employé engaged in its business, the wages earned by such employé to within six days of the date of such payment: *Provided, however*, That if at any time of payment any employé shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter upon demand.

SECTION 2. Any corporation violating any of the provisions of this act shall be liable to a penalty not exceeding fifty dollars and not less than ten dollars for each violation, * * * provided an action for such violation is commenced within thirty days from the date thereof. The factory inspectors of this state, * * * may bring an action in the name of the people of the state as plaintiff against any corporation which neglects to comply with the provisions of this act for a period of two weeks, after having been notified in writing by such inspectors * * * that such action will be brought. On the trial of such action, such corporation shall not be allowed to set up any defense for a failure to pay weekly any employé engaged in its business the wages earned by such employé to within six days of the date of such payment other than a valid assignment of such wages or a valid set-off against the same, or the absence of such employé from his regular place of labor at the time of payment, or an actual tender to such employé at the time of payment of the wages so earned by him, or a breach of contract by such employé, or a denial of the employment. No assignment of future wages, payable weekly, under the provisions of this act shall be valid if made to the corporation from whom such wages are to become due, or to any person on behalf of such corporation, or if made or procured to be made to any person for the purpose of relieving such corporation from the obligation to pay weekly under the provisions of this act. Nor shall any of said corporations require any agreement from any employé to accept wages at other periods than as provided in * * * this act as a condition of employment.

CHAPTER 394.—*Mine regulations and inspection.*

SECTION 1. The governor shall immediately after the passage of this act, appoint by and with the advice and consent of the senate, a mining inspector whose term of office shall be three years, from the date of his appointment, and in case of the removal, resignation or death of the inspector, the vacancy shall be filled by appointment by the governor for the unexpired term.

SECTION 2. No person shall be appointed inspector, who is not a citizen of the state of New York, or unless he is possessed of a competent and practical knowledge of mining, thoroughly acquainted with the best methods of working, ventilating, and timbering mines, and he must have an experience of at least five years in mining in the metalliferous or other mines of this state.

SECTION 3. The inspector shall give his whole time and attention to the duties of the office to which he has been appointed and shall see that every necessary precaution is taken to secure the health and safety of the workingmen employed in the metalliferous and other mines of this state; it shall also be the duty of the inspector to keep a record of the names and location of all the metalliferous and other mines of this state, and to collect all the data possible in regard to the manner of working the same. He shall examine carefully into the manner and method of timbering shafts, drifts, inclines, slopes and tunnels, through which miners and other persons pass to and fro, while engaged in their daily labor.

SECTION 4. The inspector shall examine into the manner of the ventilation of all mines, and shall see that the ventilating current shall be conducted and circulated to and along the face of each and every working place throughout the entire mine in sufficient quantities to insure the removal of powder, smoke and other noxious gases, to such an extent that all working places and travelling roads shall be in a safe and fit state to work and travel therein.

SECTION 5. The inspector shall positively prohibit any person or persons from riding on any loaded cars, cage or bucket, into or out of any mine; the inspector shall also prohibit the storing of powder or oils of any description in or around shaft-houses, engine-houses or boiler rooms, and shall order that all supplies of an inflammable and destructive nature be stored at a safe distance from the mine openings.

SECTION 6. All such boilers used for generating steam for mining purposes, shall be kept in good order, and the owner, agent, manager or lessee, shall have them inspected by a competent boiler maker, once in six months, and the result of the examination shall be certified to in writing to the inspector; they shall also provide for the inspection of the engines, brakes, cages, buckets, ropes and chains weekly, and keep the same in good order.

SECTION 7. Every such boiler or nest of boilers used in mining for generating steam shall be provided with a proper steam gauge and water gauge, to show respectively the pressure of steam, and the height of water in the boiler, and with a proper safety valve; every such boiler-house in which boiler or nest of boilers is placed shall be provided with a steam gauge properly connected with the boilers, and another steam gauge shall be attached to the steam pipe in the engine-house, and placed in such position that the engineer or fireman can readily examine them and see what pressure is carried.

SECTION 8. Every owner, agent, manager or lessee of any metalliferous or other mines in this state, shall admit the inspector to such mine for the purpose of making the examination and inspection provided for in this act, either by day or by night, and render any necessary assistance for such inspection. Said inspector shall not unnecessarily obstruct the working of said mine. Upon the refusal of the owner, agent, manager or lessee to admit the inspector to such mine, such owner, agent, manager or lessee, shall be upon conviction, subject to a fine of not less than fifty dollars nor more than three hundred dollars, and, for a second refusal and conviction, shall be imprisoned not less than six nor more than twelve months.

SECTION 9. It shall be the duty of every owner, agent, manager or lessee of any mine to cause the same to be properly timbered, and that no person shall be permitted to work in an unsafe place, unless it be for the purpose of making it secure.

SECTION 10. Any person having charge of a working place in any mine, shall keep the roof and sides thereof properly secured by timber, or otherwise so as to prevent such roof and sides from falling, and he shall not do any work or permit any work to be done under dangerous material, except for the purpose of securing the same.

SECTION 11. When high explosives, other than gunpowder, are used in any mine, the manner of storing, keeping, moving, charging and firing, or in any manner using such explosives, shall be in accordance with special rules, as furnished by the manufacturers of the same.

SECTION 12. In charging holes for blasting, in slate, rock or ore in any mine, no iron or steel pointed needle or tamping bar shall be used unless the end of the tamping bar or needle is tipped with at least six inches of copper or other soft metal. No person shall be employed to blast unless the mine superintend-

ent or person having charge of such mine is satisfied that such person is qualified by experience to perform the work with ordinary safety. It shall be the duty of said person, when about to fire a blast, to give timely notice to all persons who may be in danger therefrom, and shall give sufficient alarm, so that any person or persons who may be approaching shall be warned of the danger.

SECTION 13. Any minor [*sic*] or other person, who shall, against the wishes or order of the owner, agent, manager or lessee of any mine, intentionally injure or destroy any property, handle or destroy any part of the machinery, or enter into any building of such mine or do any act whereby the property of the person, firm or corporation, or the lives or health of persons are in danger, shall be guilty of an offence against this act, and upon conviction, shall be imprisoned not less than six months or more than five years in the discretion of the court.

SECTION 14. Any owner, agent, manager or lessee having charge of any metalliferous or other mines, whenever loss of life or serious accident shall occur connected with the working of such mine, shall give notice immediately by mail or otherwise, and report all facts thereof to the mine inspector, which report shall be filed in his office for future reference.

SECTION 15. The inspector shall keep all records of mine examinations, showing the date of examination, condition in which the mines are found and manner of working the same, and make a report to the legislature on or before the fifteenth day of January, in each year, said report shall contain the number of mines visited, number of mines in operation, the number of men employed in each and the amount of capital invested. It shall also contain the number, and cause of accidents, fatal and non-fatal that may have occurred in and about the mines.

SECTION 16. The district attorney of any county of this state is hereby authorized upon the request of the mine inspector to commence and prosecute to termination, before any court of record, in the name of the people of the state, actions or proceedings against any person or persons or corporations reported to him to have violated any of the provisions of this act.

SECTION 17. The inspector shall exercise a sound discretion in the enforcement of this act, and if he shall find anything to be dangerous or defective in or connected with any metalliferous or other mines so as to, in his opinion, threaten or tend to the bodily injury of any person, the inspector shall give notice in writing thereof to the owner, agent manager or lessee of such mine, stating in such notice the particulars in which he considers such mine or part thereof to be dangerous, and order the same to be remedied.

SECTION 18. In case the owner, agent, manager or lessee, after written notice being duly given, does not conform to the provisions of this chapter, any court of competent jurisdiction may, on application of the inspector of mines, by civil action in the name of the people of the state of New York, enjoin or restrain the owner, agent, manager or lessee from working the mine until it is made to conform to the provisions of this act.

SECTION 20. The unreasonable neglect or refusal of any person upon the written requisition of said mining inspector to perform the duties or requirements of this act shall be deemed a misdemeanor, and upon conviction thereof, shall be punished, (except as hereinfore provided), by a fine of not less than fifty, nor more than two hundred dollars, or by imprisonment for not less than thirty, nor more than ninety days, or by both fine and imprisonment: and all fines collected under the provisions of this act shall be paid into the general fund of the treasury of the state.

CHAPTER 564.—*Stock corporations—Liability of stockholders for debts due employés.*

SECTION 57. * * * Such stockholders shall, jointly and severally also be personally liable for all debts due and owing to any of its laborers, servants, or employés, other than contractors, for services performed by them for such corporation. Before such laborer, servant, or employé shall charge such stockholder for such services, he shall give him notice in writing, within thirty days after the termination of such services, that he intends to hold him liable, and shall commence an action therefor within thirty days after the return of an execution unsatisfied against the corporation, upon a judgment recovered against it for such services. No person holding stock in any corporation as collateral security, or as executor, administrator, guardian or trustee, unless he shall have voluntarily invested the trust funds in such stock, shall be personally subject to liability as a stockholder; but the person pledging such stock shall be considered the holder thereof, and shall be liable as stockholder; and the estates

and funds in the hands of such executor, administrator, guardian or trustee, shall be liable in the like manner, and to the same extent as the testator or intestate, or the ward, or person interested in such trust fund would have been, if he had been living and competent to act, and held the same stock in his own name, unless it appears that such executor, administrator, guardian or trustee voluntarily invested the trust funds in such stock, in which case he shall be personally liable as a stockholder.

SECTION 58. No action shall be brought against a stockholder for any debt of the corporation, until judgment therefor has been recovered against the corporation, and an execution thereon has been returned unsatisfied in whole or in part, and the amount due on such execution shall be the amount recoverable, with costs against the stockholder. No stockholder shall be personally liable for any debt of the corporation not payable within two years from the time it is contracted, nor unless an action for its collection shall be brought against the corporation within two years after the debt becomes due; and no action shall be brought against a stockholder after he shall have ceased to be a stockholder, for any debt of the corporation, unless brought within two years from the time he shall have ceased to be a stockholder.

CHAPTER 565.—*Liability of railroad companies for wages of employés of contractors*

SECTION 30. An action may be maintained against any railroad corporation by any laborer for the amount due him from any contractor for the construction of any part of its road, for ninety or any less number of days' labor performed by him in constructing such road, if within twenty days thereafter a written notice shall have been served upon the corporation, and the action shall have been commenced after the expiration of ten days and within six months after the service of such notice, which shall contain a statement of the month and particular days upon which the labor was performed and for which it was unpaid, the price per day, the amount due, the name of the contractor from whom due, and the section upon which performed, and shall be signed by the laborer or his attorney and verified by him to the effect that of his own knowledge the statements contained in it are true. * * *

CHAPTER 565.—*Intemperate persons not to be employed on railroads, etc.*

SECTION 42. Any railroad corporation may employ any inhabitant of the state, of the age of twenty-one years, not addicted to the use of intoxicating liquors, as a car driver or conductor, or in any other capacity, if fit and competent therefor.

CHAPTER 565.—*Safety appliances to be provided by railroads.*

SECTION 49: It shall be the duty of every railroad corporation operating its road by steam:

(1) To lay, in the construction of new and in the renewal of existing switches, upon freight or passenger main line tracks, switches on the principle of either the so-called Tyler, Wharton, Lorenze, or split point switch, or some other kind of safety switch, which shall prevent the derailment of a train, when such switch is misplaced or a switch interlocked with distant signals.

(2) To erect and thereafter maintain such suitable warning signals at every road, bridge, or structure which crosses the railroad above the tracks, where such warning signals may be necessary, for the protection of employés on top of cars from injury.

(3) To place guard-posts in the prolongation of the line of bridge trusses so that in case of derailment, the posts, and not the bridge trusses, shall receive the blow of the derailed locomotive or car.

(4) To use upon every new freight car, built or purchased for use, couplers which can be coupled and uncoupled automatically, without the necessity of having a person guide the link, lift the pin by hand, or go between the ends of the cars.

(5) To attach to every car used for passenger transportation an automatic air-brake or other form of safety-power brake, applied from the locomotive, excepting cars attached to freight trains, the schedule rate of speed of which does not exceed twenty miles an hour.

(6) To provide each closed car, in use in every passenger train owned or regu-

larly used upon a railroad, with one set of tools, consisting of an axe, sledge-hammer, crowbar, and handsaw, to be properly placed so as to be easily removed.

* * * * * * *

Every corporation, person or persons, operating such railroad, and violating any of the provisions of this section, * * * shall be liable to a penalty of one hundred dollars for each offence, and the further penalty of ten dollars for each day that it shall omit or neglect to comply with any of such provisions. * * *

NORTH CAROLINA.

CONSTITUTION.

ARTICLE 5.—*Exemptions from taxation.*

SECTION 5. * * * The general assembly may exempt * * * wearing apparel, * * * household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers; libraries and scientific instruments, or any other personal property, to a value not exceeding three hundred dollars.

ARTICLE X.—*Exemptions from execution, etc.*

SECTION 1. The personal property of any resident of this state, to the value of five hundred dollars, to be selected by such resident, shall be, and is hereby exempted from sale under execution, or other final process of any court, issued for the collection of any debt.

SECTION 2. Every homestead, and the dwellings and buildings used therewith, not exceeding in value one thousand dollars, to be selected by the owner thereof, or in lieu thereof, at the option of the owner, any lot in a city, town or village, with the dwelling and buildings used thereon, owned and occupied by any resident of this state, and not exceeding the value of one thousand dollars, shall be exempt from sale under execution, or other final process obtained on any debt. But no property shall be exempt from sale for taxes, or for payment of obligations contracted for the purchase of said premises.

SECTION 3. The homestead, after the death of the owner thereof, shall be exempt from the payment of any debt during the minority of his children, or any one of them.

SECTION 4. The provisions of sections one and two of this article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemption, or a mechanic's lien for work done on the premises.

SECTION 5. If the owner of a homestead die, leaving a widow but no children, the same shall be exempt from the debts of her husband, and the rents and profits thereof shall enure to her benefit during her widowhood, unless she be the owner of a homestead in her own right.

ARTICLE XI.—*Convict labor.*

SECTION 1. * * * The * * * provision for imprisonment with hard labor shall be construed to authorize the employment of such convict labor on public works or highways, or other labor for public benefit, and the farming out thereof, where, and in such manner as may be provided by law; but no convict shall be farmed out who has been sentenced on a charge of murder, manslaughter, rape, attempt to commit rape or arson. * * *

ARTICLE XIV.—*Mechanics' liens.*

SECTION 4. The general assembly shall provide, by proper legislation, for giving to mechanics and laborers an adequate lien on the subject-matter of their labor.

CODE OF 1883.

VOLUME I.

CHAPTER 10.—*Exemptions from execution, etc.*

SECTION 501. There shall be exempt from sale under execution or other final process issued for the collection of any debt upon all judgments heretofore, or

which may be hereafter rendered, such property as the judgment debtor may have been entitled to have set apart and allotted to him at the time the debt was contracted, or cause of action accrued, as follows:

(1) *Upon debts contracted prior to February twenty-fifth, one thousand eight hundred and sixty-seven.*—The wearing apparel, working tools, arms for muster, one wheel and two pairs of cards, one loom, one bible and testament, one hymn-book, one prayer-book, and all necessary school books, the property of the defendant, shall be exempt from seizure under execution, and in addition to the foregoing articles there shall be, in favor of every housekeeper complying with this chapter, exempt from execution on debts contracted since the first day of July, one thousand eight hundred and forty-five, and prior to February twenty-fifth day, one thousand eight hundred and sixty-seven, the following property, provided the same shall have been set apart before seizure, to wit: one cow and calf, ten bushels of corn or wheat, fifty pounds of bacon, beef, or pork, or one barrel of fish, all necessary farming tools for one laborer, one bed, bedstead, and covering for every two members of the family, and such other property as the freeholders appointed for that purpose may deem necessary for the comfort and support of such debtor's family; such other property not to exceed in value the sum of fifty dollars at cash valuation: *Provided*, That this section shall not be extended to any person against whom judgment is obtained and execution awarded for liability incurred for failure or neglect to work on the public roads, or to muster, or pay his poll tax.

(2) *Debts contracted since February twenty-fifth, one thousand eight hundred and sixty-seven, and prior to April twenty-fourth, one thousand eight hundred and sixty-eight.*—The wearing apparel, working tools, arms for muster, one wheel and two pair of cards, one loom, one bible and testament, one hymn-book, one prayer-book, and all necessary school books, the property of the defendant, shall be exempt from seizure under execution. And the following property of each head of a family or housekeeper shall be exempt from execution except for taxes: All necessary farming and mechanical tools, one work horse, one yoke of oxen, one cart or wagon, one milch cow and calf, fifteen head of hogs, five hundred pounds of pork or bacon, fifty bushels of corn, twenty bushels of wheat or rice, household and kitchen furniture not to exceed in value two hundred dollars, the libraries of licensed attorneys at law, practicing physicians and ministers of the gospel, and the instruments of surgeons and dentists used in their professions: *Provided*, That the value of the personal property exemptions shall not exceed five hundred dollars.

(3) *Upon debts contracted and causes of actions accrued since April the twenty-fourth, one thousand eight hundred and sixty-eight, and prior to May first, one thousand eight hundred and seventy-seven.*—The property, real and personal, as set forth in article ten of the constitution of the state.

(4) *Upon debts contracted or causes of action accruing since May first, one thousand eight hundred and seventy-seven.*—The property, real and personal, specified in subdivision three of this section, and the homestead of any resident of this state shall not be subject to the lien of any judgment or decree of any court, or to sale under execution or other process thereon, except such as may be rendered or issued to secure the payment of obligations contracted for the purchase of the said real estate, or for laborers' or mechanics' lien, for work done and performed for the claimant of said homestead, or for lawful taxes.

CHAPTER 27.—*Conditional sale of personal property.*

SECTION 1275. All conditional sales of personal property in which the title is retained by the bargainor, shall be reduced to writing and registered in the same manner, for the same fees and with the same legal effect as is provided for chattel mortgages.

CHAPTER 49.—*Railroad corporations—Liability of stockholders for debts due employés.*

SECTION 1940. * * * All the stockholders of any such company shall be jointly and severally liable for the debts due or owing to any of its laborers and servants, other than contractors, for personal services for thirty days' service performed for such company, but shall not be liable to an action therefor before an execution shall be returned unsatisfied in whole or in part against the corporation, and the amount due on such executions shall be the amount recoverable

with costs against such stockholders; before such laborer or servant shall charge such stockholder for such thirty days' services he shall give him notice in writing within twenty days after the performance of such service that he intends so to hold him liable and shall commence such action therefor within thirty days after the return of such execution unsatisfied as above mentioned; and every such stockholder, against whom any such recovery by such laborer or servant shall have been had, shall have a right to recover the same of the other stockholders in said corporation in ratable proportion to the amount of the stock they shall respectively hold with himself.

CHAPTER 49.—*Liability of railroad companies for wages of employés of contractors.*

SECTION 1942. As often as any contractor for the construction of any part of a railroad which is in progress of construction shall be indebted to any laborer for thirty or less number of days' labor performed in constructing said road, such laborer may give notice of such indebtedness to said company in the manner herein provided, and said company shall thereupon become liable to pay such laborer the amount so due him for such labor, and an action may be maintained against said company therefor. Such notice shall be given by said laborer to said company within twenty days after the performance of the number of days' labor for which the claim is made. Such notice shall be in writing, and shall state the amount and number of days' labor and the time when the labor was performed for which the claim is made, and the name of the contractor from whom due, and shall be signed by such laborer, or his attorney, and shall be served on an engineer, agent or superintendent employed by said company having charge of the section of the road on which such labor was performed, personally, or by leaving the same at the office or usual place of business of such engineer, agent or superintendent, with some person of suitable age. But no action shall be maintained against any company under the provisions of this section, unless the same is commenced within thirty days after notice is given to the company by such laborer as above provided.

CHAPTER 49.—*Sunday labor—Railroads.*

SECTION 1973, (as amended by chapter 92, acts of 1885). No railroad company shall permit the loading or unloading of any freight car on Sunday; nor shall permit any car, train of cars, or locomotive to be run on Sunday on any railroad, except such as may be run for the purpose of transporting the United States mails, either with or without passengers, and except such as shall be run for carrying passengers exclusively, and except such as shall be run for the purpose of transporting fruits, vegetables, live stock and perishable freights exclusively: *Provided*, That the word Sunday in this section shall be construed to embrace only that portion of the day between sunrise and sunset; and that trains *in transitu*, having started on Saturday, may, in order to reach the terminus or shops, run until nine o'clock a. m. on Sunday, but not later, nor for any other purpose than to reach the terminus or shops. And any railroad company violating this section shall be guilty of a misdemeanor in each county in which such car, train of cars or locomotive shall run, or in which any such freight car shall be loaded or unloaded; and upon conviction shall be fined not less than five hundred dollars for each offence; the fine when collected to be paid to the state treasurer for the use of the public schools.

VOLUME II.

CHAPTER 15.—*Convict labor.*

SECTION 2508, (as amended by chapter 70, acts of 1885, and chapter 74, acts of 1887). The state board of education shall be invested with full power to adopt all necessary ways and means for causing so much of the swamp lands to be surveyed as they may think capable of being reclaimed; [and] shall cause to be constructed, through or in the vicinity of said lands, such canals, ditches, roads and other necessary works of improvement as the board may deem proper and necessary for the drainage thereof or to make them more accessible and to develop their resources; and for the purposes of this section it shall be the duty of the board of directors of the penitentiary to furnish the state board of education with a convict force not to exceed three hundred and twenty-five.

CHAPTER 16.—*Protection of employés as voters.*

SECTION 2715. Any person who shall discharge from employment, withdraw patronage from, or otherwise injure, threaten, oppress, or attempt to intimidate any qualified voter of this state, because of the vote such voter may, or may not have cast in any election, shall be guilty of a misdemeanor.

CHAPTER 44.—*Convict labor.*

SECTION 3431. The board of directors [of the penitentiary] shall in every instance where possible, make use of the labor of the convicts in the preparation of the material and the erection of the cells and wall, in order to lessen the public expense * * *.

SECTION 3433, (as amended by chapter 195, acts of 1885). The board of directors is authorized and directed to farm out to railroad companies or other public corporations or private corporation, or any individual or company every able-bodied convict who can not be employed to advantage within the penitentiary, on such terms as will best promote the interests of the state, for consideration not less than food and clothing * * *: *Provided*, No convict shall be farmed out who has been sentenced on a charge of murder, manslaughter, rape, attempt to commit rape, or arson; *Provided*, That no contract shall be made with any individual or private corporation, or company unless such individual, private corporation or company contracts for the hire of not less than twenty convicts for a term of not less than six months; *Provided further*, That nothing in this section shall prevent the board of directors from hiring out the convicts in less number than twenty, and for a shorter time than six months, when they can not be employed as above provided for by this act.

SECTION 3448. The boards of commissioners of the several counties, within their respective jurisdictions, or such other county authorities therein as may be established; and also the mayor and intendant of the several cities and towns of the state, shall have power to provide under such rules and regulations as they may deem best for the employment on the public streets, public highways, public works, or other labor for individuals or corporations, of all persons imprisoned in the jails of their respective counties, cities and towns, upon conviction of any crime or misdemeanor, or who may be committed to jail for failure to enter into bond for keeping the peace or for good behavior, and who fail to pay all the costs which they are adjudged to pay, or to give good and sufficient security therefor: *Provided*, Such prisoner or convict shall not be detained beyond the time fixed by the judgment of the court. *Provided further*, The amount realized from hiring out such persons shall be credited to them for the fine and bill of costs in all cases of conviction. *Provided also*, It shall not be lawful to farm out any such convicted person who may be imprisoned for the non payment of a fine, or as punishment imposed for the offence of which he may have been convicted, unless the court before whom the trial is had shall in its judgment so authorize.

SECTION 3449. It shall be lawful for the board of commissioners of any county, and likewise for the corporate authorities of any city or town, to contract in writing with the board of directors of the penitentiary for the employment of such convicts as by existing laws may be hired to railroad companies, upon the highways or streets for the construction or improvement of the same, of the county, city or town whose authorities shall so hire such convicts.

CHAPTER 61.—*Sunday labor.*

SECTION 3782. On the Lord's Day, commonly called Sunday, no trademan, artificer, planter, laborer, or other person, shall, upon land or water, do or exercise any labor, business or work, of his ordinary calling, works of necessity and charity alone excepted, nor employ himself in hunting, fishing, or fowling, nor use any game, sport or play, upon pain that every person so offending, being of the age of fourteen years and upwards, shall forfeit and pay one dollar.

ACTS OF 1887.

CHAPTER 113.—*Bureau of labor statistics.*

SECTION 1. There shall be established in the department of agriculture, immigration and statistics, a bureau of labor statistics, which shall be under the charge

of a commissioner of labor statistics, who shall be appointed by the governor by and with the advice and consent of the Senate. * * * The said commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor, the earnings of laboring men and women, their educational, moral and financial condition and the best means of promoting their mental, material, social and moral prosperity. The commissioner aforesaid shall have power to appoint a chief clerk to assist him in the performance of his duties. * * * During the necessary absence of the commissioner, or if the office shall become vacant, the chief clerk shall perform the duties of the commissioner. The commissioner shall annually publish a report in pamphlet form and send or cause to be sent a copy of the same to each newspaper published in this state, a copy to each member of the general assembly of North Carolina, a copy to each of the several states and county officers of the state, a copy to any citizen who may apply for the same either personally or by mail, and one hundred copies to each of the several labor organizations which may be in existence at the time of the publication of the reports, in this state. He shall also make a full report to each session of the general assembly of the information collected and collated by him and containing such recommendations as he may deem calculated to promote the efficiency of the bureau. The commissioner is hereby directed to endeavor to obtain an accurate list of all the newspapers published in the state, and whether the same be published daily or weekly, and to forward to each and all a copy of his report promptly upon its being published; he is also directed to diligently enquire after the labor organizations of the state and see that none are omitted in the distribution of the reports; he is further directed to confine his labors to this state. * * *

CHAPTER 145.—*Protection of laborers employed by stevedores.*

SECTION 1. That in all cases where steam-ships or steam vessels or vessels of any kind are loaded or unloaded or where any work is done in or about the same by the contractors to do the same known as stevedores or "boss stevedores," who in doing the same shall employ laborers to assist or do the work by the hour, day, week or month, it shall be the duty of the owner or owners, agent or agents of the vessel or vessels aforesaid to see that the laborers employed in and about the same by the stevedore, contractor or "boss stevedore" are fully paid the wages that may be due such laborer before he or they shall make final settlement with the contractor, stevedore or "boss stevedore."

SECTION 2. That the said owner or agent, in order to comply with the first section of this act, shall have power to refuse final settlement with the "boss stevedore" or contractor until he or they shall satisfy the said owner or agent, by written oath if necessary, that the same has been done.

SECTION 3. That in order further, that the owner or agent may comply with the provisions of this act it shall be lawful for him or them to pay off from time to time such orders for wages as may due [*sic*] and given therefor in favor of the laborers by the contractor or stevedore, which on final settlement may be deducted from the contract price.

SECTION 4. Any owner or agent of the vessel or vessels aforesaid who shall neglect or refuse to comply with the provisions of this act shall be liable to such laborers in a civil action for the amount of the wages so due him or them by the contractor, stevedore or "boss stevedore."

SECTION 5. Any contractor, stevedore or "boss stevedore" who shall make any false oath or false representation with intent to wrong, cheat or defraud any laborer as contemplated in the provisions and purview of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished as is now prescribed by law for perjury.

CHAPTER 355.—*Convict labor.*

SECTION 1, (as amended by chapter 419, acts of 1889). When any county has made provision for the working of convicts upon the public roads, or when any number of counties have jointly made provision for working convicts upon the public roads, it shall be lawful for, and the duty of the judge holding court in such counties to sentence to imprisonment and hard labor on the public roads for such terms as are now prescribed by law for their imprisonment in the county jails or in the state prison, the following classes of convicts: First, all persons convicted of offences the punishment whereof would otherwise be wholly, or in part, imprisonment in the common jail; second, all persons convicted of crimes the punishment whereof would otherwise wholly or in part be imprisonment in the

penitentiary for a term not exceeding ten years. In such counties there may also be worked on the public roads, in like manner, all persons sentenced to imprisonment in jail by any magistrate, and also all insolvents who shall be imprisoned by any court in said counties for non-payment of costs in criminal causes may be retained in imprisonment and worked on the public roads until they shall have repaid the county to the extent of the half fees charged up against the county for each person taking the insolvent oath. * * *

SECTION 2. * * * The county commissioners shall have power to work such convicts on the public roads or canalling the main drains and swamps.

* * * * * * *

SECTION 5. In addition to the convicts mentioned in section 1 of this act, the board of directors of the penitentiary is authorized and directed to furnish to the authorities of any county within the state convicts not exceeding twenty-five in number during any one year for the purpose of working the public roads in said county. * * * Any county applying for convicts under this act shall erect suitable stockades for their safe keeping and protection. * * *

ACTS OF 1889.

CHAPTER 218.—*Exemption from taxation.*

SECTION 23. The property mentioned in this section shall be exempt from taxation, to wit:

* * * * * * *

(4) Twenty-five dollars of personal property of each individual taxpayer.

CHAPTER 280.—*Payment of wages—Use of non-transferable scrip prohibited.*

SECTION 1. It shall be unlawful for any person or persons, firm or corporation, who employ laborers by the day, week or month, to issue in payment for such labor any ticket or tickets, or other scrip bearing upon their face the words "non-transferable," or to issue tickets or scrip in any form that would render them void by transfer from the person or persons to whom issued; but all tickets or scrip issued to laborers for labor done shall be paid to the person holding the same their face value by the person or persons, firm or corporation issuing the same.

SECTION 2. Any person or persons, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than fifty dollars for each offence, or imprisoned not more than thirty days: *Provided*, That this act shall only apply to the counties of Bertie, Cumberland, Davidson, Guilford, Gates, Hertford, Mitchell, Randolph, Wake, Gaston and Rockingham.

CHAPTER 314.—*Convict labor.*

SECTION 5. In any scheme to make the penitentiary self-sustaining, preference shall be given to contracts for able-bodied convicts in larger bodies hired to the best advantage, and whenever said penitentiary shall reach a self-sustaining basis the able-bodied convicts not required for such purpose may be furnished to the various counties of the state to work the public roads, canals and turnpikes thereof under terms and conditions now provided by law, giving preference to those roads, canals and turnpikes to which convicts are now assigned by statutes; and in placing said convicts under contracts, the authorities shall not be required to keep them in camps of less than one hundred, where so many or more are hired to the same person, company or corporation.

CHAPTER 371.—*Convict labor.*

SECTION 1. The state shall, and the board of directors of the penitentiary are hereby authorized and directed to furnish to the Graystone Granite and Construction Company, as called for by its president or board of directors, for at least one year, and for such longer period (not exceeding two years) as said company may elect, not less than one hundred able-bodied convicts to be used in the work of said company within the state; * * * if, during the employment of

said one hundred convicts by said company there shall be in said penitentiary other able-bodied convicts not farmed out, the state shall, and the board of directors of the penitentiary are hereby authorized and directed to furnish to said company from said convicts not farmed out such additional number (not exceeding two hundred) for such length of time (not to exceed five years) as said company may request by its president or board of directors: * * * *Provided*, The board of directors of the penitentiary shall not be required to furnish said convicts * * * in bodies less than one hundred in number.

* * * * * * *

[*Note.*—Convict labor: In addition to the laws relating to convict labor which have been copied, and which seem to be more or less general in their application, there are a large number of laws authorizing county commissioners to employ convict labor on certain county works, as roads, acts authorizing the drainage commissioners of the state to employ convicts in draining certain swamps, and acts authorizing certain railroad companies to employ convict labor. There exist also acts directing that certain classes of convicts be sentenced to hard labor on county roads.]

NORTH DAKOTA.

CONSTITUTION.

ARTICLE 1.—*Preventing the obtainment of employment unlawful.*

SECTION 23. Every citizen of this state shall be free to obtain employment wherever possible, and any person, corporation or agent thereof, maliciously interfering or hindering in any way, any citizen from obtaining or enjoying employment already obtained, from any other corporation or person, shall be deemed guilty of a misdemeanor.

ARTICLE 3.—*Commissioner of agriculture and labor.*

SECTION 82. There shall be chosen by the qualified electors of the state at the times and places of choosing members of the legislative assembly, * * * one commissioner of agriculture and labor; who shall have attained the age of twenty five years, shall be a citizen of the United States, and shall have the qualifications of state electors. * * *

ARTICLE 17.—*Exemptions from execution, etc.*

SECTION 208. The right of the debtor to enjoy the comforts and necessaries of life shall be recognized by wholesome laws, exempting from forced sale to all heads of families a homestead the value of which shall be limited and defined by law, and a reasonable amount of personal property; the kind and value shall be fixed by law. This section shall not be construed to prevent liens against the homestead for labor done and materials furnished in the improvement thereof, in such manner as may be prescribed by law.

ARTICLE 17.—*Employment of children.*

SECTION 209. The labor of children under twelve years of age shall be prohibited in mines, factories and workshops in this state.

ARTICLE 17.—*Blacklisting.*

SECTION 212. The exchange of "blacklists" between corporations shall be prohibited.

SCHEDULE.—*Territorial laws in force in state.*

SECTION 2. All laws now in force in the territory of Dakota, which are not repugnant to this constitution, shall remain in force until they expire by their own limitations or be altered or repealed.

REVISED TERRITORIAL CODES OF 1883.

CODE OF CIVIL PROCEDURE.

CHAPTER 13.—*Exemptions from execution, etc.—Personal property.*

SECTION 322. Except as hereinafter provided, the property mentioned under this heading is exempt from attachment or *mesne* process, and from levy and sale on execution, and from any other final process issued from any court.

SECTION 323. The property mentioned in this section is absolutely exempt from all such process, levy, or sale:

1. All family pictures.
2. A pew or other sitting in any house of worship.
3. A lot or lots in any burial ground.
4. The family Bible, and all school books used by the family, and all other books used as a part of the family library, not exceeding in value one hundred dollars.
5. All wearing apparel and clothing of the debtor and his family.
6. The provisions for the debtor and his family, necessary for one year's supply, either provided or growing, or both and fuel necessary for one year.
7. The homestead, as created, defined, and limited by law.

SECTION 324. In addition to the property mentioned in the preceding section, the debtor may, by himself or his agent, select from all other of his personal property, not absolutely exempt, goods, chattels, merchandise, money, or other personal property, not to exceed in the aggregate fifteen hundred dollars in value, which is also exempt, and must be chosen and appraised as hereinafter provided.

SECTION 325. Instead of the exemption granted in the preceding section the debtor may select and choose the following property, which shall then be exempt, namely:

(1) All miscellaneous books and musical instruments for the use of the family, not exceeding five hundred dollars in value.

(2) All household and kitchen furniture, including beds, bedsteads, and bedding used by the debtor and his family, not exceeding five hundred dollars in value; and in case the debtor shall own more than five hundred dollars' worth of such property, he must select therefrom such articles to the value of five hundred dollars, leaving the remainder subject to legal process.

(3) Three cows, ten swine, one yoke of cattle, and two horses or mules, or two yoke of cattle, or two span of horses or mules, one hundred sheep, and their lambs under six months old, and all wool of the same, and all cloth or yarn manufactured therefrom, the necessary food for the animals hereinbefore mentioned for one year, either provided or growing, or both, as the debtor may choose; also one wagon, one sleigh, two ploughs, one harrow, and farming utensils, including tackle for teams, not exceeding three hundred dollars in value.

(4) The tools and implements of any mechanic, whether a minor or of age, used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade not exceeding two hundred dollars in value. The library and instruments of any professional person, not exceeding six hundred dollars in value.

SECTION 332. Nothing in this chapter shall be so construed as to exempt any personal property from execution for laborers' or mechanics' wages, or physicians' bills, except that absolutely exempt: *Provided, however*, That a physician, in order to be entitled to the benefits of this act, must be a physician who has graduated from some reputable school of medicine, either of the United States or some foreign country, or who can produce a certificate of qualification from some state or territorial medical society, or who has been continuously engaged in the practice of medicine for a period of 10 years or more: *Provided*, That in case of physicians' bills there shall also be exempt household and kitchen furniture, including stores of the debtor, to an amount not exceeding four hundred dollars, and also two cows: *Provided, however*, That this shall not apply to physicians' bills contracted before the passage of this act: *And further provided*, That the collection of physicians' bills shall not be enforced by legal process in less than six (6) months from the accruing thereof, except when the debtor is about to remove from the territory.

CHAPTER 14.—*Exemption from execution etc.—Wages.*

SECTION 371. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person, or due the judgment debtor, to be applied towards the satisfaction of the judgment; except that the earnings of the debtor for his personal services, at any time within sixty days next preceding the order, can not be so applied, when it is made to appear by the debtor's affidavit or otherwise that such earnings are necessary for the use of a family supported wholly or partly by his labor.

POLITICAL CODE.

CHAPTER 38.—*Exemption from execution etc.—Homesteads.*

SECTION 1. The homestead of every family resident in this territory, as hereinafter defined, whether such homestead be owned by the husband or wife, so long as it continues to possess the character of a homestead, shall be exempt from judicial sale, from judgment lien, and from all mesne or final process issued from any court.

SECTION 2. A widow or widower, though without children, shall be deemed a family while continuing to occupy the house used as such at the time of the death of the husband or wife.

SECTION 4. The homestead shall be liable for taxes accruing thereon, and * * * shall be liable only for such taxes, and shall be subject to mechanics' lien for work, labor, or material, done or furnished exclusively for the improvement of the same, and the whole or a sufficient portion thereof may be sold to pay the same.

SECTION 5. The homestead may be sold for any debt created for the purchase thereof.

SECTION 6. The homestead must embrace the house used as a home by the owner thereof, and if he or she has two or more houses thus used at different times and places, such owner may select which he or she will retain as a homestead.

SECTION 8, (as amended by chapter 65, acts of 1885). If within a town plat it must not exceed one acre in extent, and if not within a town plat it must not embrace in the aggregate more than one hundred and sixty acres. If the homestead is claimed upon any land, the title or right of possession to which was acquired or claimed under the laws of the United States relating to mineral lands, then the area of the homestead shall not exceed one acre, whether within or without a town plat.

APPENDIX, CHAPTER 53, Part 2.—*Convict labor.*

SECTION 31. All convicts sentenced to punishment of hard labor in said prison [penitentiary at Bismarck] shall be constantly employed for the benefit of the territory. * * *

SECTION 40. If the warden shall at any time deem it for the interest of the territory, he may employ the convicts outside the prison yard in quarrying or getting stone from and cultivating the prison farm, or in doing any work necessary to be done in the prosecution of the regular business of the institution; * * *.

SECTION 44. The warden is authorized and empowered, by and with the advice and approval of the board of directors of said penitentiary, to lease from time to time the labor of such portion of the able-bodied prisoners confined therein, together with such shop room, machinery, and power as may be necessary for their proper employment, to such persons for such purposes, upon such terms and conditions, and for such length of time, not exceeding five years at any one time, as he shall deem most conducive to the interests of the territory and the welfare of the prisoners.

SECTION 45. In every contract made pursuant to the authority herein conferred there shall be reserved to the directors of said penitentiary, and to the warden, and to each and every one of his subordinates, full power and authority to prevent the demanding or imposition of unusual or severe labor, or labor whereby the health or safety of the convicts may be impaired or jeopardized; * * *.

SECTION 48. Before entering into any contract for the leasing of convict labor, the warden shall, by public advertisement, invite sealed proposals for the hiring of such labor, shop-room, machinery, and power. * * *

CIVIL CODE.

Earnings of married women.

(Page 753.)

SECTION 83. * * * The earnings of the wife are not liable for the debts of the husband, and the earnings and accumulations of the wife, and of her minor children living with her, or in her custody, while she is living separate from her husband, are the separate property of the wife. * * *

Corporations—Liability of stockholders for debts due employés.

(Page 858.)

SECTION 514. The stockholders of any corporation [for mining, manufacturing and other industrial pursuits] * * * shall be jointly and severally liable, in their individual capacities, for all debts due to mechanics, workmen, and laborers employed by such corporation, which said liability may be enforced against any stockholders by an action at any time after an execution against such corporation shall be returned not satisfied: Provided, such action be commenced within four months: * * *.

PENAL CODE.

CHAPTER 4.—*Sunday labor.*

SECTION 42. All manner of servile labor, on the first day of the week, is prohibited, excepting works of necessity or charity.

SECTION 44. It is a sufficient defense in proceedings for servile labor * * * on the first day of the week to show that the accused uniformly keeps another day of the week as holy time, and does not labor * * * upon that day, and that the labor * * * complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week as holy time.

SECTION 46. All trades, manufactures and mechanical employments, upon the first day of the week, are prohibited.

SECTION 49. Every person guilty of Sabbath-breaking is punishable by a fine of one dollar for each offense.

CHAPTER 57.—*Intimidation of employers and employés.*

SECTION 733. Every person who, by any use of force, threats, or intimidation, prevents, or endeavors to prevent, any hired foreman, journeyman, apprentice, workman, laborer, servant, or other person employed by another, from continuing or performing his work, or from accepting any new work or employment, or to induce such hired person to relinquish his work or employment, or to return any work he has in hand before it is finished, is guilty of a misdemeanor.

SECTION 734. Every person who, by any use of force, threats, or intimidation, prevents or endeavors to prevent another from employing any person, or to compel another to employ any person, or to force or induce another to alter his mode of carrying on business, or to limit or increase the number of his hired foremen, journeymen, apprentices, workmen, laborers, servants, or other persons employed by him, or their rate of wages, or time of service, is guilty of a misdemeanor.

CHAPTER 57.—*Employment, hours of labor, etc., of women and children.*

SECTION 739. Every owner, stockholder, overseer, employer, clerk, or foreman of any manufactory, workshop, or other place used for mechanical or manufacturing purposes, who, having control, shall compel any woman or any child under eighteen years of age, or permit any child under fourteen years of age, to labor in any day exceeding ten hours, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine not exceeding one hundred and not less than ten dollars.

TERRITORIAL ACTS OF 1887.

CHAPTER 54.—*Factories and workshops.*

SECTION 1. All doors of ingress and egress in all buildings used for public assemblages of any character in this territory, including * * * factories, * * * and all other buildings wherein numbers of persons are employed, * * shall be so constructed as to open and swing outward, and doorways shall not be less than four feet in width, with proper landings and stairways of at least equal width.

SECTION 2. It shall be the duty of all persons owning or having charge of such buildings, * * * to comply with the provisions of this act within six months after the same shall take effect, * * *.

SECTION 3. Any person or persons failing to comply with the provisions of this act, or who shall build, maintain, or permit to be used, any such building, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor.

SECTION 4. All factories, * * *, which are two or more stories in height, shall be provided by the owners thereof with two or more fire escapes, placed within easy access of the occupants of said building.

CHAPTER 205.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1. In every public department and upon all public works of the territory of Dakota and of the cities, towns and villages thereof, honorably discharged Union soldiers and sailors of the late war shall be preferred for appointment: age, loss of limb or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them; *Provided*, They possess the requisite qualifications and business capacity necessary to discharge the duties of the position involved.

STATE ACTS OF 1890.

CHAPTER 27.—*Inspection etc., of steam-boilers.*

SECTION 1. There shall be appointed by the governor a board of inspectors, consisting of one from each of the several judicial districts of the state, whose duty it shall be to inspect all steam boilers in use within his district, not subject to inspection under the laws of the United States, and to examine and grant certificates of license to all steam engineers intrusted with the care and management of steam boilers within said district. Said inspectors shall hold their respective offices for two years from the date of appointment, unless removed for cause by the governor.

SECTION 2. No person shall be eligible to hold the office of inspector of boilers who is either directly or indirectly interested in the manufacture or sale of boilers or steam machinery, or any patented article required to be used or of general use in the construction of steam boilers or engines, or who is not of good moral character, a practical engineer, and suitably qualified by experience in the construction of steam boilers, or such experience in their manufacture as to enable him to perform the duties of the office, and no person shall enter upon or perform any of the duties of inspector who has not taken and subscribed an oath, and filed the same with the secretary of the State, that he will faithfully and impartially perform the duties of his office.

SECTION 3. Said inspectors shall, in April next after the passage of this act, and each year thereafter, meet as a board at Bismarck, North Dakota, and establish such rules and regulations for the inspection of the steam boilers herein provided for, as shall be required by the terms of this chapter. They shall also prescribe rules and regulations for the inspection of the hulls, machinery, boilers, steam connections, fire apparatus, life-saving appliances and equipments of all steamers, propelled in whole or in part by steam, and navigating the inland waters of the state. They shall also designate the number of passengers that each steam vessel may safely carry, and it shall be unlawful for any master or owner of any steam vessel herein provided for, to carry a greater number of passengers than is allowed by the inspector's certificate, and such regulations, when approved by the governor, shall have the force of law.

SECTION 4. Every owner, lessee or other person having charge of steam boilers on any boat, or boat propelled in whole or in part by steam, not subject to inspection under the laws of the United States, shall cause the same to be inspected

at least once in each year by the inspectors herein provided for, and every such owner, lessee or person having charge of such boilers or steam vessel, who shall raise steam and operate such boilers and machinery without such inspection, shall be subject to a penalty of one hundred (100) dollars, said amount to accrue to the state.

SECTION 5. The said inspectors shall once in each year at least, upon application, in writing, of the owner, lessee or manager, carefully inspect the hull, boiler, machinery and equipments of all steam vessels liable to inspection under this act, and shall satisfy themselves that every such vessel is of a structure suitable for the service in which she is to be employed and has suitable accommodations for passengers and crew and is in a condition to warrant the belief that she may be used in navigation as a steamer, with safety to life, and that such equipments as life preservers, floats, pumps, hose, anchors and other things necessary to insure safety, have been provided. When the inspection of a steam vessel is completed and the inspectors approve the vessel and her equipments throughout, they shall make and subscribe a certificate to the secretary of the state, in such form as the board of inspectors shall prescribe; such certificate shall be subscribed and verified by the oath of the inspector making it, and a copy of said certificate shall be furnished by the inspector to the managing owner or master of said steam vessel, who shall post the same in a conspicuous place on said boat. The original certificate shall be kept on file in the office of the secretary of the state.

SECTION 6. The said inspectors shall, in addition to their duties as inspectors of steam vessels, inspect all steam boilers or steam generators before the same shall be used, and once at least in each year thereafter they shall subject all boilers to hydrostatic pressure, and shall satisfy themselves by a thorough examination inside and out, and by hammer test, after hydrostatic pressure, that the boilers are well made of good and suitable material; that the openings for the passage of water and steam respectively, and all pipes and tubes exposed to heat are of proper dimensions and free from obstructions; that the flues are circular in form: that the friction (fire line) of the furnace is at least two inches below the prescribed minimum water line of the boilers; that the arrangements for delivering the feed water are such that the boilers cannot be injured thereby, and that such boilers and their steam connections may be safely employed without peril to life. They shall also satisfy themselves that the safety valves are of suitable dimensions, sufficient in number and properly arranged, and that the safety valve weights and springs are properly adjusted so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there is a sufficient number of gauge cocks properly inserted, suitable gauges that will correctly record the pressure of steam; and that a fusible plug is properly inserted so as to fuse by the heat of the furnace whenever the water in the boilers falls below its prescribed limits, and that adequate and certain provisions for an ample supply to feed the boilers at all times so that in high pressure boilers, the water shall not be less than four inches above the top of the flues, and that means for blowing out are provided so that the mud and sediment may be removed while the boiler is under pressure of steam. In subjecting to hydrostatic tests, boilers usually designated as high pressure, the inspector shall assume one hundred and twenty-five pounds to the square inch as the maximum pressure allowable as a working pressure for new boilers of forty-two inches in diameter, made in the best manner, of plates one-fourth of an inch thick, of good materials; but the inspector shall rate the working power of all high pressure boilers according to their strength, compared with this standard, and in all cases the test applied shall exceed the working power allowed, in the ratio of one hundred and sixty-five to one hundred and ten. In subjecting to the hydrostatic test boilers usually designated as low pressure, the inspector shall allow as a working power for each new boiler, a pressure of only three-fourths the number of pounds to the square inch to which it has been subjected by the hydrostatic test. Should the inspector be of the opinion that any boiler, by reason of its construction or material, will not safely allow so high a working pressure as herein provided, he may, for reasons to be stated specially in his certificate, fix the pressure of such boiler at less than three-fourths of the test pressure. No boiler or steam pipe nor any of the connections therewith, shall be approved which is made in whole or in part of bad material or is unsafe from any cause. Nothing herein shall be construed to prevent the use of any boiler or steam generator which may not be constructed of riveted iron or steel plates, when the board of inspectors have satisfactory evidence that such boiler or steam generator is equal in strength and as safe from explosion as boilers of the best quality constructed of riveted iron or steel plates.

SECTION 7. Every person who constructs a boiler or steam pipe of iron or steel plates, known to be faulty or imperfect, or who drills any rivet hole to make it come fair, or who delivers any such boiler for use, knowing it to be imperfect in its flues, flanges, riveting, bracing, or in other of its parts, shall be fined two hundred (200) dollars, one-half for the use of the informer.

SECTION 8. In addition to the annual inspection, it shall be the duty of each inspector to examine at any time, when in his opinion such examination shall become necessary, all such boilers within his district as shall become unsafe from any cause and to notify the owners or persons using such boilers of any defect, and what repairs are necessary in order to render them safe; and it shall be the duty of the person operating or owning any such boilor to cease to use the same until such repairs are made; and in case of failure to comply with the requirements of said inspector, the person operating or owning any such boiler shall be liable to a fine not exceeding one hundred (100) dollars, and liable for any damage to person or property resulting therefrom.

SECTION 9. Every steam boiler shall be provided with a fusible plug of good banca tin, inserted in the flues, crown sheet or other part of the boiler most exposed to the heat of the furnace when the water falls below the prescribed limits.

SECTION 10. It shall be the duty of owners or managers of steam boilers, mentioned in this act, to allow said inspectors free access to the same, and it is hereby made the duty of the engineer operating the same to assist the inspector in his examination, and to point out any defect they may know in the boiler or machinery in their charge.

SECTION 11. No person shall be entrusted with the operating of any steam boiler or steam machinery who has not been examined by an inspector and found competent to perform the duties of an engineer and receive from such inspector a written or printed license to so act. Engineers shall be divided into three classes, viz: chief engineer, assistant engineer and special engineer. No license shall be granted to any person to perform the duties of chief engineer whose knowledge of steam machinery and experience as an engineer is not such as to justify the belief that he is competent to take charge of all classes of boilers and machinery. No license shall be granted to any person to act as assistant engineer unless his knowledge of steam machinery and habits of life are such as to warrant the belief that he is competent to manage safely and without danger to life, ordinary steam machinery. Special engineers may be licensed to operate steam thresher engines and engines of kindred class, when found on examination to be sufficiently acquainted with the duties of an engineer to warrant the belief that he can safely be entrusted to perform such duty. Whenever complaint is made against an engineer holding a license from a state inspector that he has, through negligence, want of skill or inattention to duty, permitted his boilers to burn or otherwise become in bad condition, it shall be the duty of the inspector, upon satisfactory proof of such negligence, to revoke the license of such engineer; and no engineer shall run his engine longer than seven days without cleaning out the boiler under penalty of this act.

SECTION 12. An engineer running a stationary engine, shall keep his license in a public place in the engine room, which license shall be subject to inspection by any inspector or other public official. Engineers running or operating boilers and engines other than stationary ones, shall keep their certificates with them and subject to examination by any inspector, public official, or other person interested therein. Any person operating a steam boiler or engine without a license as provided for by this act, or any person employing anyone to operate a steam boiler or engine who does not have a certificate as provided in this act, shall be guilty of a misdemeanor and fined not to exceed two hundred (200) dollars, or imprisoned in county jail not to exceed one year, or both such fine and imprisonment, as the court may deem advisable. The license of chief and assistant engineers shall be good for the time issued in any part of the state, but special licenses shall be good only in the judicial district where granted, and in case of removal to another district a new license must be taken out in said district, and a failure or neglect so to do will incur the penalty in paragraph 2 of this section.

SECTION 13. In making the inspection of boilers, machinery, or steam vessels herein provided for, the inspectors may act jointly or separately, but the inspector or inspectors making such inspection shall, in all cases, subscribe and make an oath to the certificate of inspection; any inspector who shall willfully certify falsely regarding any steam boiler or its attachments, or the hull and

equipments of any steam vessel, or grant license to incompetent persons to act as engineers, or grant a license to any person better than the grade that he should have shall, on conviction thereof, be punished by a fine not exceeding five hundred (500) dollars, or imprisonment not exceeding one year in the state prison, or both, at the discretion of the court.

SECTION 15. This act shall not apply to railroad locomotives, nor to boilers owned or controlled by railway companies, unless used upon steam vessels navigating the inland waters of the state; nor shall engineers employed by rai road companies be required to procure licenses from the state board of inspectors, but the penalties herein provided for shall not obtain in any case prior to the time the inspector or inspectors have notified the persons affected that they are ready to make inspection as herein provided for.

SECTION 16. No inspector shall act as agent for any machinery manufacturer in the sale of machinery, under the penalty of removal by the governor.

CHAPTER 46.—*Commissioner of agriculture and labor.*

SECTION 1. The duties of the commissioner of agriculture and labor shall be to collect, systematize and present in biennial reports to the legislative assembly, statistical details relating to all departments of labor in the state, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the estimated number of persons employed by the several industries within the state, the operation of labor saving machinery in its relation to hand labor, etc. Said statistics may be classified as follows:

First. In agriculture.

Second. In mining.

Third. In mechanical and manufacturing industries.

Fourth. In transportation.

Fifth. In clerical and all other skilled and unskilled labor not above mentioned.

Sixth. The amount of cash capital invested in lands, in building and machinery, severally, and means of production and distribution generally.

Seventh. The number, age, sex and condition of persons employed; the nature of their employment, the extent to which the apprenticeship system prevails in the various skilled industries, the number of hours of labor per day, the average length of time employed per annum, and the net wages received in each of the industries and employments within the state.

Eighth. The number and condition of the unemployed, their age, sex and nationality, together with the cause of their idleness.

Ninth. The sanitary condition of lands, workshops, dwellings; the number and size of rooms occupied by the workers, etc.; the cost of fuel, rent, food, clothing and water in each locality of the state; also the extent to which labor saving processes are employed to the displacement of hand labor.

Tenth. The number and condition of the Chinese in the state, their social and sanitary habits, number of married and of single, the number employed and the nature of their employment; the average wages per day at each employment, and the gross amount yearly; the amount expended by them in rent, food and clothing and in what proportion such amounts are expended for foreign and home productions respectively; to what extent their labor comes in competition with the other industrial classes of the state.

Eleventh. The number, condition, and nature of the employment of the inmates of the state prison, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans and laborers outside of these institutions.

Twelfth. All such other information in relation to labor as the commissioner may deem essential to further the objects sought to be attained by this statute.

Thirteenth. A description of the different kinds of labor organizations in existence in the state, and what they accomplish in favor of the class for which they were organized.

SECTION 2. It shall be the duty of all state, county and precinct officers to furnish upon the written request of the commissioner, all the information in their power necessary to assist in carrying out the objects of this act. And not more than 1,000 copies of the printed report shall be furnished to the commissioner for free distribution to the public.

SECTION 3. Any person who wilfully impedes or obstructs the commissioner in the full and free performance of his duties, shall be guilty of a misdemeanor

and upon conviction shall be fined not less than ten (10) nor more than fifty (50) dollars, or imprisonment not less than seven or more than thirty days in the county jail, or both.

SECTION 5. The commissioner shall have power to send for persons whenever, in his opinion, it is necessary, and he may examine witnesses under oath, being hereby authorized to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of said commissioner.

SECTION 7. If any difference shall arise between any corporation or person, employing twenty-five or more employés, and such employés, threatening to result, or resulting in a strike on the part of such employés, or a lockout on the part of such employer, it shall be the duty of the commissioner, when requested so to do by fifteen or more employés, or by the employers, to visit the place of such disturbance and diligently seek to mediate between such employer and employés.

SECTION 11. The commissioner shall report to the legislative assembly the number of coal mines being operated within the state, the number of tons of coal being mined annually, the number of persons employed in coal mining, the wages paid to coal miners, and the cost per ton to mine coal at the different mines.

CHAPTER 62.—*Employment of children.*

SECTION 143. No child between eight and fourteen years of age shall be employed in any mine, factory or workshop or mercantile establishment, or, except by his parent or guardian, in any other manner, during the hours when the public schools in the city, town, village or district are in session unless the person, firm or corporation employing him shall first procure a certificate from the superintendent of the schools of the city, town or village, if one be employed, otherwise from the clerk of the school board or board of education, stating that such child has attended school for the period of twelve weeks during the year, as required by law, or has been excused from attendance * * *; and it shall be the duty of such superintendent or clerk to furnish such certificate upon application of the parent, guardian or other person having control of such child, entitled to the same.

SECTION 144. Every owner, superintendent or overseer of any mine, factory, workshop or mercantile establishment, and any other person who shall employ any child between eight and fourteen years of age, contrary to the provisions of this article, shall be deemed guilty of a misdemeanor, and for every such offense shall, upon conviction thereof, be fined not less than twenty nor more than fifty dollars and costs. Every person authorized to sign a certificate as prescribed in section 4, [143] who certifies to any materially false statement therein, shall be fined not less than twenty nor more than fifty dollars and costs.

CHAPTER 111.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 1. Whenever any public officer or officers shall, under the laws of this State, enter into contract in any sum exceeding one hundred dollars, with any person or persons, for the purpose of making any public improvements, or constructing any public building or making repairs on the same, such officer or officers shall take from the party contracted with a bond with good and sufficient sureties to the State of North Dakota, in a sum not less than the sum total in the contract, conditioned that such contractor or contractors shall pay all indebtedness incurred for labor or material furnished in the construction of said public building or in making said public improvements.

SECTION 3. Such bond shall be filed in the office of the clerk of the district court of the county in which such public improvement is to be made or such public building is to be erected; and any person to whom there is due any sum for labor or material furnished, as stated in section 1 of this act, or his assigns, may bring an action on said bond for the recovery of said indebtedness: *Provided*, That no action shall be brought on said bond after three months from the completion of said public improvements or public buildings.

OHIO.

REVISED STATUTES OF 1886 (THREE VOLUMES).

Fees for incorporation of societies of mechanics etc.

SECTION 148*a*. (Vol. III, R. S., as amended by act passed May 15, 1886; laws of Ohio, vol. 83, page 165.) Upon the filing of articles of incorporation by any person desiring to become incorporated under the laws of this state, there shall be paid to the secretary of state, the following fees: * * * *Provided, further*, In case of * * * societies or associations composed exclusively of any class of mechanics, express, telegraph, railroad or other employés, formed for the mutual protection and relief of the members thereof and their families exclusively, these fees shall not apply, but a fee of two dollars shall in such cases be charged. * * *

Mine regulations and inspection.

SECTION 290. (Vol. III. R. S., as amended by act passed March 24, 1888; laws of Ohio, vol. 85, page 106). For the purpose of facilitating an efficient and thorough inspection of mines in Ohio, and to provide an adequate inspecting force therefor, the governor shall appoint, by and with the consent of the senate, one chief inspector, who, with the approval of the governor, shall appoint five district inspectors of mines: the chief inspector shall hold his office for the term of four years, and the district inspectors shall hold their office for the term of three years, from the date of their appointment, and until their successors are appointed and qualified; * * * . No person shall be appointed chief inspector of mines unless he is possessed of a competent knowledge of chemistry, the geology of Ohio, and mineralogy, in so far as those sciences relate to mining, and has a practical knowledge of mining engineering, and the different systems of working and ventilating mines, and the nature and proprieties of the noxious and poisonous gases of mines, particularly fire damp, and of the best means of preventing and removing the same; and no person shall be appointed district inspector of mines unless he be a practical miner of at least five years' experience, and a resident of the district for which he is appointed, for at least two years, and is possessed of a practical knowledge of the best mode of working and ventilating mines, of the means of detecting the presence of bad or foul air, noxious and poisonous gases, and of the best means of preventing and removing the same.

SECTION 291. (Vol. III, R. S.) * * * the inspector, while in office, shall not act as agent, manager, or mining engineer for any operator, on in any way be interested in operating any mine.

SECTION 292. (Vol. III, R. S., as amended by act passed March 24, 1888; laws of Ohio, vol. 85, page 106.) The chief inspector and district inspectors shall give their whole time and attention to the duties of their offices, respectively; it shall be the duty of the district inspectors to examine all the mines in their respective districts as often as possible, to see that all the provisions and requirements of this chapter are strictly observed and carried out; they shall particularly examine the works and machinery belonging to any mine, examine into the state and condition of the mines as to ventilation, circulation and condition of air, drainage and general security; they shall make a record of all examinations of mines in their respective districts, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries received, or deaths, in or about the mines, the number of mines in their respective districts, the number of persons employed in or about each mine, together with all such other facts and information of public interest, concerning the condition of mines, development and progress of mining in their respective districts, as they may think useful and proper, which record shall, on or before the first Monday of every month, be filed in the office of the chief inspector, to be by him recorded, and so much thereof as may be of public interest to be included in his annual report; in case of any controversy or disagreement between a district inspector and the owner and [or ?] operator of any mine, or the persons working therein, or in case of conditions of emergencies requiring counsel, the district inspector may call on the chief inspector for such assist-

ance and counsel as may be necessary; should the district inspector find any of the provisions of this chapter violated, or not complied with, by any owner, lessee, or agent in charge of any mine, he shall immediately notify such owner, lessee, or agent in charge, of such neglect or violation, and unless the same is, within a reasonable time, rectified, and the provisions of this chapter fully complied with, he shall institute a prosecution under the provisions of section 6874 of the Revised Statutes. The inspectors shall exercise a sound discretion in the enforcement of the provisions of this act, and if in any respect (which is not provided against by, or may result from a rigid enforcement of any express provisions of this chapter), the inspector find any matter, thing or practice in or connected with any such mine, to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, the inspector may give notice in writing thereof to the owner, agent or manager of the mine, and shall state in such notice the particulars in which he considers such mine, or any part thereof, or any matter, thing of [or ?] practice to be dangerous or defective, and require the same to be remedied. For the purpose of making the inspection and examinations provided for in this section, the chief inspector and the district inspectors shall have the right to enter any mine at all reasonable times, by night or by day, but in such manner as shall not unnecessarily obstruct the working of the mine; and the owner or agent of such mine is hereby reqired to furnish the means necessary for such entry and inspection; the inspection and examination herein provided for shall extend to fire-clay, iron ore, and other mines, as well as coal mines.

SECTION 293. (Vol. III. R. S., as amended by act passed March 24, 1888; laws of Ohio, vol. 85, page 106.) * * * the chief inspector * * * shall make such personal inspection of the mines as he may deem necessary and his other duties will permit; he shall keep in his office and carefully preserve all maps, surveys and other reports and papers required by law to be filed with him, and so arrange and preserve the same as shall make them a permanent record of ready, convenient and connected reference; he shall compile and consolidate the reports of district inspectors, and annually make report to the governor of all his proceedings, as well as those of the district inspectors, the condition and operation of the different mines of the state, and the number of mines and the number of persons employed in or about such mines, the amount of coal, iron ore, limestone, fire-clay, or other mineral mined in this state; and for the purpose of enabling him to make such report, the owner, lessee or agent in charge of such mine, who is engaged in mining, and the owner, lessee or agent of any firm, company or corporation in charge of any fire-clay, or iron ore mined [mine ?] or any limestone, or quarry, or who is engaged in mining or producing any mineral whatsoever in this state, shall, on or before the 31st day of January in every year, send to the office of the chief inspector of mines, upon blanks to be furnished by him, a correct return specifying with respect to the year ending on the preceding 31st day of December, the quantity of coal, iron ore, fire clay, limestone, or other mineral product in such mine, or quarry, and the number of persons ordinarily employed in or about such mine, or quarry, below and above ground, distinguishing the persons and labor below ground and above ground. Every owner, lessee or agent of a mine or quarry who fails to comply with this section, or makes any return which to his knowledge is false in any particular, shall be deemed guilty of an offense against this section, and shall be fined one hundred dollars, to be recovered at the suit of the chief inspector in the name of the state of Ohio: * * * he shall enumerate all accidents, and the manner in which they occurred, in or about the mines, and give all such other information as he thinks useful and proper, and make such suggestions as he deems important relative to mines and mining, and any other legislation that may be necessary on the subject for the better preservation of the life and health of those engaged in such industry.

SECTION 297. (Vol. I. R. S., as amended by act passed April 11, 1888; laws of Ohio, vol. 85, page 185.) It is unlawful for the owner or agent of any coal mine, worked by shaft, to employ or permit any person to work therein, unless there are, to every seam of coal worked in each mine, at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets distinct means of ingress and egress are always available to the persons employed in the mine; but it is not necessary for the two outlets to belong to the same mine, if the persons employed therein have safe, ready and available means of ingress and egress by not less than two openings. This section shall not apply to opening a new mine while being worked for the purpose of making communication between said two outlets, so long as not more

than twenty persons are employed at any one time in such mine, neither shall it apply to any mine, or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment, so long as not more than twenty persons are employed therein at any one time. The cage or cages, and other means of egress shall at all times be available for the persons employed, where there is no second outlet. The escapement shafts shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets, and such means or appliances of escape shall always be kept in a safe condition; and in no case shall an air shaft, with a ventilating furnace at the bottom, be construed to be an escapement shaft, within the meaning of this section. To all other coal mines, whether slopes or drifts, two such openings or outlets must be provided within twelve months after shipments of coal have commenced from such mine; and in case such outlets are not provided as herein stipulated, it shall not be lawful for the agent or owner of such slope or drift to permit more than ten persons to work therein at any one time. In case a coal mine has but one shaft, slope, or drift, for the ingress or egress of the men working therein, and the owner thereof does not own suitable surface ground for another opening, he may select and appropriate any adjoining land for that purpose, and may make an additional shaft or outlet under, through or upon any intervening land, or landing adjoining, * * *.

SECTION 298. (Vol. III, R. S., as amended by act passed May 17, 1886; laws of Ohio, vol. 83, page 182.) The owner or agent of every coal mine, whether shaft, slope, or drift, shall provide and maintain for every such mine, an amount of ventilation of not less than one hundred cubic feet, per minute, per person employed in such mine, which shall be circulated and distributed throughout the mine in such a manner as to dilute, render harmless, and expel the poisonous and noxious gases from each and every working-place in the mine, and no working place shall be driven more than sixty feet in advance of a break-through, or air-way; and all break-throughs, or air-ways, except those last made near the working faces of the mine shall be closed up and made air tight, by brattice, trap-doors, or otherwise, so that the currents of air in circulation in the mine may sweep to the interior of the mine, where the persons employed in such mine are at work, and all mines governed by the statute shall be provided with artificial means of producing ventilation, such as forcing, or suction fans, exhaust steam, furnaces, or other contrivances, of such capacity and power as to produce and maintain an abundant supply of air, and all mines generating fire-damp, shall be kept free from standing gas, and every working-place shall be carefully examined every morning with a safety-lamp by a competent person or persons, before any of the workmen are allowed to enter the mine. All underground entrances to any places not in actual course of working or extension, shall be properly fenced across the whole width of such entrances so as to prevent persons from inadvertently entering the same.

SECTION 299. (Vol. III, R. S., as amended by act passed May 17, 1886; laws of Ohio, vol. 83, page 182.) The owner or agent of every coal mine operated by shaft, in all cases where the human voice can not be distinctly heard, shall forthwith provide and maintain a metal tube from the top to the bottom of such shaft suitably calculated for the free passage of sound therein, so that conversation may be held between persons at the bottom and top of the shaft; there shall also be provided an approved safety catch, and a sufficient cover overhead, on all carriages used for lowering and hoisting persons, and in the top of every shaft an approved safety gate, and an adequate brake shall be attached to every drum or machine used for lowering or raising persons in all shafts or slopes; and there shall also be provided in every shaft a traveling or passage-way from one side of a shaft bottom to the other, so that persons working therein may not have to pass under descending cages; and all slopes or engine-planes, used as traveling ways by persons in any mine, shall be made of sufficient width to permit persons to pass moving cars with safety; but if found impracticable to make any slope or engine-plane of sufficient width, then safety-holes of ample dimensions, and not more than sixty feet apart, shall be made on one side of said slope or engine-plane. Such safety-holes shall always be kept free from obstructions, and the roof and sides shall be made secure. The boilers used for generating steam, and the buildings containing the boilers shall not be nearer than sixty feet to any shaft or slope, or to any building or inflammable structure connected with or surrounding said shaft or slope; but this section shall not apply to any shaft or slope, until the work of development and shipment of coal has commenced.

SECTION 300. (Vol. I, R. S.) No owner or agent of any coal mine operated by a shaft or slope shall place in charge of any engine used for lowering into or hoisting out of such mine persons employed therein any but experienced, competent, and sober engineers; and no engineer in charge of such engine shall allow any person, except such as may be deputed for that purpose by the owner or agent, to interfere with it or any part of the machinery, and no person shall interfere or in any way intimidate the engineer in the discharge of his duties; and in no case shall more than ten men ride on any cage or car at one time, and no person shall ride upon a loaded cage or car in any shaft or slope.

SECTION 301. (Vol. III, R. S., as amended by act passed April 11, 1888; laws of Ohio, vol. 85, page 186.) All safety lamps used for examining coal mines, or which are used in any coal mine, shall be the property of the owner of the mine, and shall be under the charge of the agent thereof, and in all mines, whether they generate fire-damp or not, the doors use[d] in assisting or directing ventilation of the mine, shall be so hung or adjusted that they will shut of their own accord and can not stand open; and all main doors shall have an attendant, whose constant duty shall be to open them for transportation and travel, and prevent them from standing open longer than is necessary for persons or cars to pass through; and the mining boss shall keep a careful watch over the ventilating apparatus and the air way, and he shall measure the ventilation at least once a week, at the inlet and outlet, and also at or near the face of all the entries, and the measurements of air so made shall be noted on blanks, furnished by the chief inspector; and on the first day of each month the mining boss of each mine shall sign one of such blanks, properly filled with the said actual measurements, and forward the same to the chief inspector, and any mining boss making false returns of such air measurements shall be deemed guilty of an offense against this section. Every person having charge of any mine, whenever loss of life occurs by accident, connected with the working of such mine, or by explosion, shall give notice thereof forthwith, by mail or otherwise, to the inspector of mines, and to the coroner of the county in which such mine is situated, and the coroner shall hold an inquest upon the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof, and shall return a copy of the finding and all the testimony to the chief inspector. The owner, agent or manager of every mine shall, within twenty-four hours next after any accident or explosion, whereby loss of life or personal injury may have been occasioned, send notice in writing to the chief inspector, and shall specify in such notice the character and cause of the accident, and the name or names of the persons killed and injured, with the extent and nature of the injuries sustained. When any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing shall be sent to the chief inspector within twenty-four hours after such death comes to the knowledge of the owner, agent or manager; and when loss of life occurs in any mine by explosion, or accident, the owner, agent, or manager of such mine shall notify the chief inspector, or the district inspector, forthwith, of the fact, and it shall be the duty of the chief inspector to go himself, or require one of the district inspectors to go, at once to the mine in which said death occurred, and inquire into the cause of the same, and to make a written report, fully setting forth the condition of the part of the mine where such death occurred, and the cause which lead to the same; which report shall be filed by the chief inspector in his office as a matter or [of?] record, and for future reference.

For any injury to persons or property, occasioned by any violation of this act, or any willful failure to comply with its provisions by any owner, agent or manager of any mine, a right of action shall accrue to the party injured, for any direct damage he may have sustained thereby; and, in any case of loss of life, by reason of such willful neglect or failure, aforesaid, a right of action shall accrue to the widow and lineal heirs of the person whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

The owner, agent, or manager of any mine shall also give notice to the chief inspector of mines in any or all of the following cases:

* * * * * * *

2. Where any working is commenced for the purpose of opening a new shaft, slope or mine, to which this act applies.

3. Where any mine is abandoned or the working thereof discontinued.

4. Where the working of any mine is re-commenced after any abandonment or discontinuance for a period exceeding three months.

5. Where the pillars of a mine are about to be removed or robbed.

6. Where a squeeze or crush, or any other cause or change may seem to af-

fect the safety of persons employed in any mine, or where fire occurs, or a dangerous body of gas is found in any mine.

SECTION 302. (Vol. I, R. S., as amended by act passed April 16, 1888; laws of Ohio, vol. 85, page 325.) No boy under twelve years of age shall be allowed to work in any mine, nor any minor between the ages of twelve and sixteen years unless he can read and write; and in all cases of minors applying for work, the agent of such mine shall see that the provisions of this section are not violated; and the mine inspector may, where doubt exists as to the age of any minors found working in any mine, qualify the said minor or his parents as to his age.

SECTION 303. (Vol. I, R. S., as amended by act passed April 16, 1888; laws of Ohio, vol. 85, page 325.) In case any coal mine does not, in appliances for the safety of the persons working therein, conform to the provisions of this chapter, or the owner or agent disregards the requirements of this chapter, any court of competent jurisdiction may, on application of the inspector, by civil action in the name of the state, enjoin or restrain the owner or agent from working or operating such mine until it is made to conform to the provisions of this chapter; and such remedy shall be cumulative, and shall not take the place of or affect any other proceedings against such owner or agent authorized by law for the matter complained of in such action.

SECTION 305. (Vol. III, R. S.) In all coal mines in the state, the miners employed and working therein, * * * shall at all proper times have full right of access and examination of all scales, machinery, or other apparatus used in or about such mine to determine the quantity of coal mined, for the purpose of testing the accuracy and correctness of all such scales, machinery, or apparatus; and such miners, * * * may designate or appoint a competent person to act for them, who shall at all proper times have full right of access and examination of such scales, machinery, or apparatus, and seeing all weights and measures of coal mined, and the accounts kept of the same; but not more than one person on behalf of the miners collectively, * * * shall have such right of access, examination, and inspection of scales, weights, measures, and accounts at the same time, and that such persons shall make no unnecessary interference with the use of such scales, machinery, or apparatus; and the miners employed in any mine, may, from time to time, appoint two of their number to act as a committee to inspect not oftener than once in every month, the mine and the machinery connected therewith, and to measure the ventilating current, and if the owner, agent, or manager so desires, he may accompany said committee by himself, or two or more persons, which he may appoint for that purpose; the owner, agent, or manager shall afford every necessary facility for making such inspection and measurement, but the committee shall not in any way interrupt or impede the work going on in the mine at the time of such inspection and measurement, and said committee shall, within ten days after such inspection and measurement, make a correct report thereof to the inspector of mines, on blanks to be furnished by said inspector for that purpose; and if such committee make to the inspector a false or untrue report of the mines, such act shall constitute a violation of this section.

SECTION 306. (Vol. I, R. S., as amended by act passed April 16, 1888; laws of Ohio, vol. 85, page 326.) The provisions of this chapter shall not apply to or affect any coal mine in which not more than ten men are employed at the same time; but the inspector shall at all times have free ingress to such mines for the purpose of examination and inspection, and shall direct and enforce any regulations in accordance with provisions of this chapter that he may deem necessary for the safety of the health and lives of the miners employed therein.

SECTION 6871. (Vol. III, R. S., as amended by act passed April 15, 1889; laws of Ohio, vol. 86, page 301.) Whoever knowingly violates any of the provisions of sections two hundred and ninety-seven, two hundred and ninety-eight, two hundred and ninety-nine, three hundred, three hundred and one, three hundred and two and three hundred and five, or does any act whereby the life or health of the persons, or the security of any mine and machinery are endangered, or any miner or other person, employed in any mine governed by the statute, who intentionally and wilfully neglects or refuses to securely prop the roof of any working place under his control, or neglects or refuses to obey any order given by the superintendent of a mine, in relation to the security of the mine in the part thereof where he is at work, and for fifteen feet back from the face of his working place, or any miner, workman or other person, who shall knowingly injure any water gauge, barometer, air course or brattice, or shall obstruct or throw open any air ways, or shall handle or disturb any part of the machinery of the hoisting engine, or open a door of the mine and not have the same closed again,

whereby danger is produced either to the mine or those that work therein, or who shall enter any part of the mine against caution, or who shall disobey any order given in pursuance of this act, or who shall do any wilful act, whereby the lives and health of persons working in the mine, or the security of the mine, or the machinery thereof is endangered, or any person having charge of a mine, whenever loss of life occurs by accident connected with the working of such mine, or by explosion, who neglects or refuses to give notice thereof forthwith, by mail or otherwise, to the chief inspector of mines, and to the coroner of the county in which such mine is situate, or any such coroner who neglects or refuses to hold an inquest upon the body of the person whose death has been thus caused, and return a copy of his findings and all the testimony to the inspector, shall be fined not less than fifty dollars, or imprisoned in the county jail not more than thirty days, or both. The owner, agent, or operator of every coal mine shall keep a supply of timber constantly on hand, and shall deliver the same to the working place of the miner, and no miner shall be held responsible for accidents which may occur in mines where the provisions of this section have not been complied with by the owner, agent, or operator thereof.

Bureau of statistics of labor.

SECTION 307. (Vol. I, R. S., as amended by act passed April 2, 1890; laws of Ohio, vol. 87, page 150.) The commissioner of labor statistics shall be appointed by the governor, by and with the advice and consent of the senate, and shall hold his office for two years.

SECTION 308. (Vol. I, R. S., as amended by act passed April 28, 1890; laws of Ohio, vol. 87, page 340.) The commissioner shall have an office in the state house, which shall be a bureau of statistics of labor, and he shall collect, arrange and systemize all statistics relating to the various branches of labor in the state, and especially those relating to the commercial, industrial, social, educational and sanitary condition of the laboring classes. Said commissioner is hereby authorized and directed, * * * to organize and establish in all cities * * * in the state of Ohio a free public employment office, and shall appoint one superintendent for each of said offices to discharge the duties hereinafter set forth. Said superintendents shall cause to be posted in front of their said offices on a signboard, or in a suitable place on the building where such offices are located, the words "free public employment office." It shall be the duty of such superintendents to receive all applications for labor of those desiring employment and those desiring to employ labor, and record their names in a book kept for that purpose, designating opposite the name of each applicant the character of employment, or labor desired, and the address of such applicant. Each of said superintendents shall be provided with such clerical assistance as in the judgment of the commissioner may appear necessary for properly conducting the duties of their several offices. No compensation or fee shall, directly or indirectly, be charged to or received from any person or persons seeking employment or any person or persons desiring to employ labor through any of said offices. Said superintendents shall make a weekly report on Thursday of each week to said commissioner of all persons desiring to employ labor, and the class thereof, and all persons applying for employment through their respective offices, and the character of employment desired by each applicant; also, of all persons securing employment through their respective offices and the character thereof, and a semi-annual report of the expense of maintaining such offices. Said commissioner shall cause to be printed weekly a list of all applicants and the character of employment desired by them, and of those desiring to employ labor, and the class thereof, received by him from the respective offices aforesaid, and and cause a true copy of such list on Monday of each week to be mailed to the superintendent of each of said offices in the state, which said list by the superintendent shall be posted immediately on receipt thereof in a conspicuous place in his office, subject to the inspection of all persons desiring employment. Said superintendents shall perform such other duties in the collection of labor statistics as said commissioner shall determine. Any superintendent or clerk * * * who directly or indirectly charges or receives any compensation from any person whomsoever in securing employment, or labor for any other person or persons * * * shall be deemed guilty of a misdemeanor, and be fined in any sum not exceeding fifty dollars, and imprisoned in the county jail or workhouse not exceeding thirty days. * * *

SECTION 309. (Vol. I, R. S.) The commissioner has power to send for persons

and papers, and to examine witnesses under oath, but for this purpose persons are not required to leave the vicinity of their residence or place of business.

SECTION 310. (Vol. I, R. S.) The commissioner has power to issue subpœnas for witnesses and enforce their attendance, in the same manner as a justice of the peace.

Exemption from execution, etc.—Burial lots.

SECTION 1469. (Vol. I, R. S.) Any lot held by an individual in a cemetery shall, in no case, be subject to be levied on or sold on execution.

Exemption from execution.

SECTION 5319. (Vol. III, R. S.) When a married woman * * * is sued, * * * she shall be entitled to the benefits of all exemptions to heads of families.

SECTION 5426. (Vol. II, R. S.) Every unmarried woman may hold the following property exempt from execution, attachment, or sale, to satisfy any judgment or order, to wit:

1. Wearing apparel, to be selected by her, not exceeding in value one hundred dollars.
2. One sewing machine.
3. One knitting machine.
4. A Bible, hymn book, psalm book, and any other books not exceeding in value twenty-five dollars.

SECTION 5427. (Vol. II, R. S.) Any beneficiary fund, not exceeding five thousand dollars, set apart, appropriated, or paid, by any benevolent association or society, according to its rules, regulations, or by-laws, to the family of any deceased member, or to any member of such family, shall not be liable to be taken by any process or proceedings, legal or equitable, to pay any debt of such deceased member.

SECTION 5430. (Vol. II, R. S.) Every person who has a family, and every widow, may hold the following property exempt from execution, attachment, or sale, for any debt, damages, fine, or amercement, to wit:

1. The wearing apparel of such person or family; the beds, bedsteads, and bedding necessary for the use of the same; one cooking stove and pipe; one stove and pipe used for warming the dwelling; and fuel sufficient for the period of sixty days, actually provided and designed for the use of such person or family.
2. One cow, or if the debtor owns no cow, household furniture, to be selected by him or her, not exceeding thirty-five dollars in value; two swine, or the pork therefrom, or, if the debtor owns no swine, household furniture, to be selected by him or her, not exceeding fifteen dollars in value; six sheep, the wool shorn from them, and the cloth or other articles manufactured therefrom, or, in lieu thereof, household furniture, to be selected by the debtor, not exceeding fifteen dollars in value; and sufficient food for such animals for the period of sixty days.
3. The Bibles, hymn books, psalm books, testaments, and school books used in the family, and all family pictures.
4. Provision actually provided and designed for the use of such person or family, not exceeding fifty dollars in value, to be selected by the debtor; and other articles of household and kitchen furniture, or either, necessary for such person or family, to be selected by the debtor, not exceeding fifty dollars in value.
5. One sewing machine; one knitting machine; and the tools and implements of the debtor necessary for carrying on his or her trade or business, whether mechanical or agricultural, to be selected by him or her, not exceeding one hundred dollars in value.
6. The personal earnings of the debtor, and the personal earnings of his or her minor child or children, for three months, when it is made to appear, by the affidavit of the debtor, or otherwise, that such earnings are necessary to the support of such debtor, or of his or her family; and such period of three months shall date from the time of issuing any attachment or other process, the rendition of any judgment, or the making of any order, under which the attempt may be made to subject such earnings to the payment of a debt.

* * * * * * *

SECTION 5431. (Vol. II, R. S.) Every person who is the head of a family, and engaged in the business of draying for a livelihood, shall, in addition to the ex-

emptions specified in the preceding section, hold one horse, harness, and dray exempt from execution; every head of a family who is engaged in the business of agriculture shall, in addition to the exemptions provided for in the preceding section, hold exempt from execution one horse, or one yoke of cattle, with the necessary gearing for the same, and one wagon; * * *.

SECTION 5433. (Vol. II, R. S.) The provisions * * * with respect to exemptions shall apply to all courts in this state, including justices of the peace and mayors' courts, so that a person shall be entitled to all the exemptions in any case or proceeding, or before any court or officer, that he may be entitled to in any other case or proceeding, or before any other court or officer.

SECTION 5434. (Vol. III, R. S.) The subsequent sections * * * shall not extend to a judgment rendered on a mortgage executed by a debtor and his wife, nor to a claim for manual work and labor less than one hundred dollars, nor to impair the lien by mortgage or otherwise, of the vendor for the purchase money of the premises in question, nor the lien of a mechanic, or other person, under any statute of this state, for materials furnished or labor performed in the erection of the dwelling-house thereon, nor for the payment of taxes due thereon.

SECTION 5435. (Vol. II, R. S.) Husband and wife living together, a widow, or a widower living with an unmarried daughter or unmarried minor son, may hold exempt from sale, on judgment or order, a family homestead not exceeding one thousand dollars in value; and the husband, or, in case of his failure or refusal, the wife, shall have the right to make the demand therefor; but neither can make such demand if the other has a homestead.

SECTION 5436. (Vol. II, R. S.) A person owning the superstructure of a dwelling house occupied by him or her as a family homestead, although the title to the land upon which the same is built is in another, and also lessees, shall be entitled to the benefit of the preceding section, in the same manner as the owner of the freehold or inheritance; but this section shall not be construed to prevent a sale of the fee simple, subject to the lease.

SECTION 5437. (Vol. III, R. S.) On petition of executors or administrators to sell, to pay debts, the land of a decedent who has left a widow, or a minor child unmarried, and composing part of the decedent's family at the time of his death the appraisers shall proceed to set apart a homestead * * * and the same shall remain exempt from sale on execution, and exempt from sale under any order of the court so long as the widow, if she remain unmarried, or any unmarried minor child resides thereon.

SECTION 5441. (Vol. III, R. S.) Husband and wife living together, a widower living with an unmarried daughter or minor son, every widow, and every unmarried female having in good faith the care, maintenance and custody of any minor child or children of a deceased relative, residents of Ohio, and not the owner of a homestead, may, in lieu thereof, hold exempt from levy and sale real or personal property, to be selected by such person, his agent or attorney, at any time before sale, not exceeding five hundred dollars in value, in addition to the amount of chattel property otherwise by law exempted.

SECTION 5483. (Vol. II, R. S.) The judge may order any property of the judgment debtor, or money due to him, not exempt by law, in the hands either of himself or other person, or of a corporation, to be applied towards the satisfaction of the judgment; but the earnings of the debtor for his personal services, at any time within three months next preceding the order, can not be so applied, when it is made to appear, by the affidavit of the debtor, or otherwise, that such earnings are necessary for the use of a family supported wholly or partly by his labor.

SECTION 6348. (Vol. II, R. S.) No assignment for the benefit of creditors shall be construed to include or cover any property exempt from levy or sale on execution, or from being by any legal process applied to the payment of debts, unless in the assignment the exemption is expressly waived, * * * and as to the homestead exemption, and exempt property that has to be selected by the debtor and his wife, the appraisers appointed by the court shall, on making the appraisement, set the same off in the same way that appraisers of property levied on or attached are required to do; and if, for any reason, this setting off is then omitted, the court may at any time thereafter, and before sale, order the same to be done by the appraisers.

SECTION 7014. (Vol. III, R. S.) Whoever assigns or transfers any claim for debt against a resident of this state for the purpose of having the same collected by proceedings in attachment in courts outside of this state, or whoever, with intent to deprive a resident of this state of a right to have his personal earnings exempt from application to the payments of his debts, sends out of this state any

claim for debt against such person for the purpose aforesaid, where the creditor and debtor and the person or corporation owning the money intended to be reached by such proceedings are within the jurisdiction of the courts of this state, shall be fined not more than fifty nor less than twenty dollars; and the person whose personal earnings are so attached shall have a right of action, * * * to recover the amount attached and any costs paid by him in such attachment proceedings, either from the person so assigning, transferring, or sending such claim out of this state to be collected as aforesaid, or the person to whom such claim is assigned, transferred, or sent as aforesaid, or both, at the option of the person bringing such suit. * * *

Statistics to be gathered and returned by assessors.

SECTION 1522. (Vol. III, R. S.) The assessor shall, annually, at the time of taking the lists of personal property for taxation, require and take for each person, company and corporation in his township or precinct the statements following, verified by oath, for the preceding year:

* * * * * * *

MINES AND MINERS.

* * * the number of persons engaged in mining stone coal and the average rate of wages paid; * * * the number of persons engaged in mining iron ores, and the average rate of wages paid; * * * .

WAGES.

The number of adult male persons engaged in each of the mechanic arts, and the average monthly or daily wages of each, as the fact may be; the number of common laborers, and the average daily wages of each; the number of common farm laborers, and the average monthly wages of each; the average monthly wages paid to clerks and salesmen and saleswomen; the average monthly wages paid to bookkeepers.

* * * * * * *

SECTION 1523. (Vol. I, R. S.) The assessor shall make return of all the preceding statistics to the county auditor, at the same time he returns the list of personal property for taxation; and the county auditor shall make return to the auditor of state on or before the first day of August, annually, of all statistics returned to his office.

FACTORIES AND WORKSHOPS.

SECTION 2573. (Vol. III, R. S.) It shall be the duty of any owner or agent for owner of any factory, workshop, tenement house, * * * if such factory, workshop, tenement house, * * * be more than two stories high, to provide a convenient exit from the different upper stories of said building, which shall be easily accessible in case of fire, * * * .

[The following provisions to and including "section 4" constitute a part of an act passed April 29, 1885, as amended by an act passed March 19, 1889, relative to the inspection of workshops and factories. They are here given in the form in which they appear in said acts.]

SECTION 2573*a*. (Vol. III, R. S.) For the purpose of facilitating an efficient and thorough inspection of workshops and factories throughout the state of Ohio, and to provide an adequate inspecting force therefor, the state is hereby divided into three inspection districts, * * * .

SECTION 2. The governor shall appoint one chief inspector, by and with the advice and consent of the senate, who, with the approval of the governor, shall appoint three district inspectors. The chief inspector and district inspectors shall be competent and practical mechanics. * * *

SECTION 3. The chief inspector and district inspectors shall give their whole time and attention to the duties of their offices respectively; it shall be their duty to visit all shops and factories in their respective districts as often as possible, to see that all the provisions and requirements of this act are strictly observed and carried out; they shall carefully inspect the sanitary condition of the same, [and it shall be their duty] to examine the system of sewerage in connection with said shops and factories, the situations and conditions of water-closets or urinals in and about such shops and factories, and also the system of

heating, lighting and ventilating all rooms in such shops and factories where persons are employed at daily labor; also as to the means of exit from all such places in case of fire or other disaster, and also all belting, shafting, gearing, elevators, drums and machinery of every kind and description in and about such shops and factories, and see that the same are not located so as to be dangerous to employés when engaged in their ordinary duties, and that the same, so far as practicable, are securely guarded, and that every vat, pan or structure filled with molten metal or hot liquid shall be surrounded with proper safeguards for preventing accident or injury to those employed at or near them; and that all such are in a proper sanitary condition, and are adequately provided with means of escape in case of fire or other disaster.

SECTION 2573b. (Vol. III, R. S., as amended by act passed March 19, 1889; laws of Ohio, vol 86, page 116.) That said inspector shall have entry into all such shops and factories, including all public institutions of the state which have shops and factories, or either, at any reasonable time, and it shall be unlawful for the proprietors, agents or servants in such factories or shops to prevent, at reasonable hours, his entry into such shops and factories for the purpose of such inspection.

SECTION 2573c. (Vol. III, R. S.) That said inspectors, if they find upon such inspection that the heating, lighting, ventilation or sanitary arrangement of any such shop or factory is such as to be injurious to the health of persons employed or residing therein, or that the means of egress in case of fire or other disaster is not sufficient, or that the belting, shafting, gearing, elevators, drums and machinery in such shops and factories are located so as to be dangerous to employés, and not sufficiently guarded, or that the vats, pans or structures, filled with molten metal or hot liquid, are not surrounded with proper safe-guards for preventing accident or injury to those employed at or near them, shall notify the owners, proprietors or agents of such shops or factories to make the alterations or additions necessary within thirty days, and if such alterations or additions are not made within thirty days from the date of such notice, or within such time as said alterations can be made with proper diligence upon the part of said proprietors and owners, said proprietors, owner or agent so notified shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than two hundred dollars and not less that ten dollars, * * * .

SECTION 4. The district inspectors shall make a record of all examinations of shops and factories in their respective districts, showing the date when made, the condition in which such shops and factories are found, and what changes were ordered, the number of shops and factories in their respective districts, the number of men, women and children employed in each shop or factory, together with all such other facts and information of public interest concerning the condition of such shops and factories as they may think useful and proper, which record shall be filed in the office of the chief inspector every week, to be by him recorded, and so much thereof as may be of public interest, to be included in his annual report.

[NOTE.—The two following sections, enacted May 2, 1883, do not appear to have been in terms repealed but it may be doubted whether they are not superseded, as regards factories and workshops, by the preceding provisions of the act of April 29, 1885.]

SECTION 2574. (Vol. III, R. S.) It shall be the duty of the mayor of each city or village to require the owner or agent for owner of any factory, workshop, tenement house, * * * within the meaning of the next preceding section, [section 2573] to comply with the requirements of said section within sixty days from the serving of a notice by the mayor so to do, unless such owner or agent for owner shall have previously complied with the requirements of said preceding section, and if any such owner or agent of owner neglects or refuses to comply with the requirements of the next preceding section within the time specified in said notice, he shall forfeit not less than fifty nor more than three hundred dollars for each and every month he so fails to comply therewith, * * * .

SECTION 2575. (Vol. III, R. S.) It shall be the duty of the mayor of such city or village, personally, or by the marshal or head of police of such city or village, or other proper person whom the mayor may appoint acting under the direction of the mayor, as inspectors of fire escapes, to carefully examine such factories, workshops, tenement houses, * * * once in each year, and report all violations of the provisions of sections twenty-five hundred and seventy-three and twenty-five hundred and seventy-four to the council of such city or village, * * * .

Exemption from taxation.

SECTION 2732. (Vol. I, R. S.) The following property shall be exempt from taxation:

* * * * * * *

Ninth. Each individual in this state may hold exempt from taxation personal property of any description of which said individual is the actual owner, not exceeding fifty dollars in value.

Earnings of married women.

SECTION 3108. (Vol. III, R. S.) Any estate or interest, legal or equitable, in real or personal property, including rights in action, belonging to a woman at her marriage, or which may come to her during coverture, by conveyance, gift, devise or inheritance, or by purchase with her separate money or means, or due as the wages of her personal labor, or growing out of any violation of her personal rights, shall, together with the rents, income, issues and profits thereof, be and remain her separate property. * * *

Hours of labor.

SECTION 4365. (Vol. I, R. S., as amended by act passed April 14, 1886; laws of Ohio, vol. 83, page 76.) In all engagements to labor in any mechanical, manufacturing or mining business, a day's work, when the contract is silent upon the subject, or where there is no express contract, shall consist of eight hours; and all agreements, contracts, or engagements in reference to such labor shall be so construed.

Suits for wages.

SECTION 5134. (Vol, II, R. S., as amended by act passed March 18, 1889; laws of Ohio, vol. 86, page 109.) * * * actions for wages shall be first in order for trial, but the court may assign for trial the cases triable to a jury, in a series, in the order in which they stand upon the docket, giving preference always to actions for wages and cases not triable to a jury, in a series in like manner. * * *

Certain employments of children forbidden.

SECTION 6984. (Vol. II, R. S.) Whoever takes, receives, hires, employs, uses, exhibits, or in any manner, or under any pretense, sells, apprentices, gives away, lets out, or otherwise disposes of, to any person, any child under the age of fourteen years, for or in the vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, contortionist, rider, or acrobat, or for or in any obscene, indecent, or immoral purpose, exhibition, or practice, or for or in any business, exhibition, or vocation injurious to the health or dangerous to the life or limbs of such child, or causes, or procures, or encourages any such child to engage therein, or causes or permits any such child to suffer, or inflicts upon it, unjustifiable physical pain or mental suffering, or willfully causes or permits the life of any such child to be endangered, or its health to be injured, or such child to be placed in such situation that its life may be endangered, or its health injured, or has in custody any such child for any of the purposes aforesaid, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both.

Employment, hours of labor, etc., of children.

SECTION 6986. (Vol. III, R. S.) No minor under the age of twelve years shall be employed in any factory, workshop or establishment wherein the manufacture of any goods of any kind is carried on.

SECTION 6986 *aa*. (Vol. III, R. S., as amended by act passed March 21, 1887; laws of Ohio, vol. 84, page 249.) No minor under the age of eighteen years shall be employed in any of the places named for a longer period than ten hours a day, and in no case shall the hours of labor exceed sixty in one week; and every employer shall post in a conspicuous place, in every room where such persons are employed, a printed notice, stating the number of hours required of them in each day of the week; * * * it shall also be the duty of every employer of minors,

to keep a record, which shall be open to the inspection of the chief inspector of workshops and factories and of his assistants, giving the name of each minor employed, his or her name, date and place of birth, and also present residence of the parents or guardians.

SECTION 6986 *bb*. (Vol. III, R. S.) Any person or corporation who shall employ any person contrary to the provisions of this act, or who shall violate any of the provisions of this act, shall, upon conviction thereof, be fined in any sum not less than fifty nor more than one hundred dollars, or imprisoned not less than thirty nor more than ninety days.

SECTION 6986 c. (Vol. III, R. S.) It shall be the duty of the inspector of shops and factories to prosecute all violations of this act, when the same shall come to his knowledge, in any court of competent jurisdiction. * * *

Payment of wages—use of non-transferable scrip prohibited.

SECTION 7015. (Vol. III, R. S., as amended by act passed Feb. 8, 1889; laws of Ohio, vol. 86, page 26.) It shall be unlawful for any person, firm, company or corporation to sell, give, deliver, or in any manner issue, directly or indirectly, to any person employed by him or it in payment of wages due for labor, or as advances on the wages of labor not due, any scrip, token, draft, check or other evidence of indebtedness purporting to be payable or redeemable otherwise than in money; any violation of the provisions of this section shall be punishable by a fine not less than twenty-five nor more than one hundred dollars, or imprisonment for not more than thirty days, or both; and any such scrip, token, check, draft, or other evidence of indebtedness issued in violation of the provisions of this section, whatever its provisions as to the time or manner of payment shall be, in legal effect, an instrument for the unconditional payment of money only on demand, and the amount thereof may be collected in money by any holder thereof in a civil action against the person, firm or corporation selling, delivering, or in any manner, or for any purpose issuing the same; and such holder may be either the person to whom such instrument was originally issued, or who acquired the same by purchase and delivery; and any scrip, token, check, draft or other evidence of indebtedness, issued in violation of the provisions of this section, and presented by the holder thereof, shall be taken as prima facie evidence in any court of the guilt or indebtedness of any person, firm, company or corporation selling, giving, delivering, or in any manner issuing the same, and for the purposes of this act in case of a firm or corporation, the person selling, giving, delivering, or in any manner issuing said scrip, token, check, draft, order, or other evidence of indebtedness shall be the defendant to the criminal action, and the firm, corporation or company shall be held as defendant to the civil action. Nothing in this section shall apply to or affect the right of any person, firm, or corporation to give orders on any store, business house, or firm in the busines or profit of which he has no interest, directly or indirectly.

SECTION 7016. (Vol. III, R. S.) Whoever compels or in any manner seeks to compel, or attempts to coerce an employé of any person, firm, or corporation to purchase goods or supplies from any particular person, firm, or corporation, shall be fined not more than one hundred nor less than twenty dollars, or imprisoned not more than sixty days, or both; and whoever sells goods or supplies of any kind, directly or indirectly, to his employé, or pays the wages of labor of his employés in goods or supplies of any kind, directly, or through the intervention of scrip, order, or other evidence of indebtedness, at higher prices than the reasonable or current market value in cash of such goods or supplies, shall be liable to like punishment and penalties above specified, and shall, in addition thereto, be liable in civil action to the party aggrieved, in double the amount of any charges made for such goods or supplies in excess of the reasonable or current market value in cash, of such goods or supplies.

Protection of employés as voters.

SECTION 7065. (Vol. II, R. S.) Whoever, not being a candidate for office, * * * with intent to induce * * * [an elector] to vote contrary to his inclinations, * * * threatens to withhold or reduce the wages of, or to dismiss from service, any laborer in his employ, or refuses to allow to any such employé time to attend at the place of election and vote, * * * shall be fined not more than two thousand nor less than one hundred dollars, or imprisoned in the penitentiary not more than three years.

Convict labor.

(Act passed March 24, 1884—Vol. III, R. S., page 769.)

SECTION 4 (as amended by act passed Feb. 27, 1885). From and after the expiration of the contracts now in force between the state and the contractors for the labor of the prisoners confined in the said institution [Ohio penitentiary], none of the labor of the prisoners in said institution shall be let on contract by the day, or similar to the present contracts, except as hereinafter provided, but shall be employed by the state upon the plan and in the manner as follows, namely: The managers shall employ all persons directly for the state, whenever the legislature shall provide means for the necessary outlay for machinery, materials, etc., as capital. It shall be competent for the managers to provide employment for any number of prisoners by an agreement with manufacturers and others to furnish machinery, materials, etc., for the employment of the prisoners under the direction and immediate control of the managers and their officers; and the said managers shall make such rules as are necessary and proper for the classification of the labor of the prisoners on the piece or process plan, and before making any contract therefor they shall, if they deem best, advertise for bids for the product of such labor on the plan aforesaid, * * *; the advertisement shall specify the kind and quantity of labor to be employed, and such other particulars as may be necessary. Each bid shall specify the amount bid for the product of such labor on the piece or process plan, *Provided*, That convicts temporarily idle upon the passage of this act, may be contracted for on the above plan without advertising. Each bid shall be accompanied with a bond with sureties to the satisfaction of the board that the bidder will comply with the terms of his bid if it be accepted. And said managers shall award the contract for the product of said labor to the best and most satisfactory bidder upon sufficient security to the board for the faithful performance of the contract; but the board may reject any bid if it be against the interest of the state or the welfare of the prisoners. But under no circumstance shall any contractor of the product of convict labor have correctory supervision over or control of the labor of the convict. And no contract shall be made that will bind the state to any system for a period not exceeding five years. And it shall be competent for the managers to arrange with the employer of prisoners under this act, to pay for the labor of such number of laborers necessary to the conduct of the general business (when they are employed in connection with larger numbers of other prisoners working by the piece or process plan), by the day or week, or otherwise, as may be agreed; but no arrangement shall be made or entered into by the board for a longer period than one year, that will produce less than seventy cents per day for the labor of able bodied convicts, excepting that convicts during the first year of their sentence, or those who are entirely unskilled, or disabled by disease, or old age, cripples, females, and minors, may be temporarily hired at less than the above rate, and all prisoners under the age of twenty-two years shall be employed when possible at hand work exclusively, for the purpose of acquiring a trade. The managers are required to employ all the prisoner[s] that are necessary in making all articles for the various state institutions, not manufactured by such institutions, as far as practicable, and the institutions shall purchase and pay to the penitentiary the market price for all such articles.

SECTION 16(14). Sections * * * 7419, 7420, 7422, 7423, * * * of the Revised Statutes be and the same are hereby repealed.

(Act passed April 14, 1884—Vol. III, R. S., page 776.)

SECTION 1. *Be it enacted, etc.*, That there be established an intermediate penitentiary. * * *

SECTION 8. * * * Agricultural labor or mechanical industry may be resorted to by said managers and warden as an instrument of reformation. The contract system of employing convicts shall not exist in any form in said intermediate penitentiary, but the prisoners shall be employed by the state, and in such way as to in the least possible manner interfere with or affect free labor.

Tribunals of voluntary arbitration.

(Act passed Feb. 10, 1885—Vol. III, R. S., page 425.)

SECTION 1. The court of common pleas of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of the petition, or of

the agreement hereinafter named, it shall be the duty of said court, or a judge thereof in vacation, to issue * * * a license or authority for the establishment within and for each county of tribunals for voluntary arbitration and settlement of trade disputes between employers and employed in the manufacturing, mechanical, or mining industries.

SECTION 2. The said petition or agreement shall be substantially in the form hereinafter given, and the petition shall be signed by at least forty persons employed as workmen and by four or more separate firms, individuals, or corporations within the county, or by at least four employers, each of whom shall employ at least ten workmen, or by the representative of a firm, corporation, or individual employing not less than forty men in their trade or industry. *Provided*, That at the time the petition is presented, the judge before whom said petition is presented, may, upon motion, require testimony to be taken as to the representative character of said petitioners, and if it appears that the said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of the said tribunal may be denied, or may make such other order in this behalf, as to him shall seem fair to both sides.

SECTION 3. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of employers and workmen, the judge shall forthwith cause to be issued a license * * * authorizing the existence of such tribunal and fixing the time and place of the first meeting thereof, and an entry of the license so granted shall be made upon the journal of the court of common pleas of the county in which the petition originated.

SECTION 4. Said tribunal shall continue in existence for one year from the date of the license creating it, and may take jurisdiction of any dispute between employers and workmen in any mechanical, manufacturing, or mining industry or business, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit their disputes in writing to such tribunal for decision. * * * The place of umpire * * * shall only be filled by the mutual choice of the whole of the representatives, of both employers and workmen constituting the tribunal, immediately upon the organization of the same. The umpire shall be called upon to act after disagreement is manifested in the tribunal by failure during three meetings held and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same.

SECTION 5. The said tribunal shall consist of not less than two employers or their representatives, and two workmen. The exact number, which shall in each case constitute the tribunal, shall be inserted in the petition or agreement, and they shall be named in the license issued. * * *

SECTION 6. The members of the tribunal shall receive no compensation for their services from the city or county, but the expenses of the tribunal, other than fuel, light, and the use of the room and furniture, may be paid by voluntary subscription, which the tribunal is authorized to receive and expend for such purposes. * * *

SECTION 7. When no umpire is acting, the chairman of the tribunal shall have power to administer oaths to all witnesses who may be produced, and a majority of said tribunal may provide for the examination and investigation of books, documents, and accounts pertaining to the matters in hearing before the tribunal, and belonging to either party to the dispute; *Provided*, That the tribunal may unanimously direct that instead of producing books, papers, and accounts before the tribunal, an accountant agreed upon by the entire tribunal, may be appointed to examine such books, papers, and accounts, and such accountant shall be sworn to well and truly examine such books, documents, and accounts as may be presented to him, and to report the results of such examination in writing to said tribunal. Before such examination the information desired and required by the tribunal shall be plainly stated in writing and presented to said accountant, which statement shall be signed by the members of said tribunal, or by a majority of each class thereof. Attorneys at law or other agents of either party to the dispute, shall not be permitted to appear or take part in any of the proceedings of the tribunal, or before the umpire.

SECTION 8. When the umpire is acting he shall preside, and he shall have all the powers of the chairman of the tribunal; and his determination upon all questions of evidence, or other questions, in conducting the inquiries then pending,

shall be final. Committees of the tribunal consisting of an equal number of each class may be constituted to examine into any question in dispute between employers and workmen which may have been referred to said committee by the tribunal, and such committee may hear and settle the same finally, when it can be done, by a unanimous vote; otherwise the same shall be reported to the full tribunal, and be there heard, as if the question had not been referred. * * *

SECTION 9. Before the umpire shall proceed to act, the question or questions in dispute shall be plainly defined in writing, and signed by the members of the tribunal, or a majority thereof of each class, or by the parties submitting the same; and such writing shall contain the submission of the decision thereof to the umpire by name, and shall provide that his decision thereon, after hearing, shall be final. The umpire shall be sworn to impartially decide all questions that may be submitted to him during his term of office. * * * said umpire must make his award within ten days from the time the question or questions in dispute are submitted to him. Said award shall be made to the tribunal; and if the award is for a specific sum of money, said award may be made a matter of record by filing a copy thereof in the court of common pleas of the county wherein the tribunal is in session. When so entered of record it shall be final and conclusive, and the proper court may, on motion of anyone interested, enter judgment thereon; and when the award is for a specific sum of money, may issue final and other process to enforce the same.

SECTION 13. The umpire shall make his award in writing to the tribunal, stating distinctly his decisions on the subject matter submitted. And when the award is for a specific sum of money, the umpire shall forward a copy of the same to the clerk of the proper court.

Color blindness of railroad employees.

(Act passed Feb. 19, 1885—Vol. III, R. S., page 807.)

SECTION 1, (as amended by act passed March 3, 1888; laws of Ohio, vol. 85, page 58). No railroad company shall hereafter contract to employ any person in a position which requires him to distinguish form or color signals, unless such person within two years next preceding has been examined for color blindness in the distinct colors in actual use by such railroad company, by some competent person employed and paid by the railroad company, and has received a certificate that he is not disqualified for such position by color blindness in the colors used by a railroad company. Every railroad company shall require such employé to be re-examined at least once within every two years at the expense of the railroad company; *Provided*, That nothing in this section shall prevent any railroad company from continuing in its employment any employé having defective sight, in all cases where such defective sight can be fully remedied by the use of glasses, or by other means, satisfactory to the person making such examinations.

SECTION 2. A railroad company shall be liable to a fine of one hundred dollars for each violation of the preceding section.

Seats for female employees.

(Act passed April 16, 1885—Vol. III, R. S., page 659.)

SECTION 1, (as amended by act passed March 1, 1889; laws of Ohio, vol. 86, page 62). Every person or corporation employing female employés in any manufacturing, mechanical or mercantile establishment in this state, shall provide suitable seats for the use of the female employés so employed, and shall permit the use of such by them when they are not necessarily engaged in the active duties for which they are employed, and shall permit the use of such seats at all times when such use would not actually and necessarily interfere with the proper discharge of the duties of such employés.

SECTION 2. Any person or corporation violating any of the provisions of this act, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

ACTS OF 1887.

Manual training in public schools.

(Page 92.)

SECTION 1. Boards of education in cities of the second grade of the first class may annually levy on each dollar valuation of a taxable property, 1-5 of one mill

additional to that now allowed; the proceeds of said levy to be applied towards providing manual and domestic training for the children of the schools of said city, and said board may expend such part of said proceeds as it may deem expedient in providing tuition for such children in any manual training school that has been or may be founded in said city; *Provided*, That at each annual election the corporation controlling said school may choose as directors, at least six persons, who shall be named by such board of education, and shall also choose as a director the superintendent of the public schools.

Payment of wages.

(Page 214.)

SECTION 1, (as amended by act passed March 20, 1890; laws of Ohio, vol. 87, page 78). Every incorporated manufacturing, mining, mercantile, street railroad, telegraph, telephone, express, water companies, and construction companies, or contractors building railroads, shall pay, in lawful money, or by check, draft or order payable in lawful money, at sight or on demand, on a bank located at a distance not greater than eight miles from the place where said labor was performed twice in each month, each and every employé engaged in its business the wages earned by such employé to within ten days of the date of said payment; *Provided, however*, That if at any time of payment any employé shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter, during their regular business hours, upon demand; *And provided, further*, That said employer may retain at each payment, any amount said employé may order withheld from his or her wages for rent, powder, tools, tool-sharpening, or oil due said employer.

SECTION 2, (as amended by act passed March 20, 1890: laws of Ohio, vol. 87, page 78). Any corporation mentioned in section one of this act, violating any provisions of this act, shall be punished by a fine not exceeding one hundred and not less than fifty dollars. Justices of the peace, mayors and police judges shall have final jurisdiction in all cases arising under the provisions of this act; * * * *Provided*, That the defendant shall be entitled, on demand, to a trial by jury; * * * *Provided*, complaint for such violation is made within thirty days from date thereof; providing, that in pursuance of and under this act, there shall not be more than one conviction of the same corporation during any two weeks, and it shall be the duty of the inspector of shops and factories to enforce the provisions of this act.

ACTS OF 1888.

Inspection of factories, etc.

(Page 34.)

SECTION 1. The mayor of the city shall appoint in every city of the first class of the first grade, one person who shall be an architect or builder, as inspector of buildings. * * *

SECTION 4. It shall be the duty of the inspector appointed under the provisions of this act to inspect any building or structure which may be in the course of construction or alteration, within the limits of said city, and to see that each building or structure is being constructed or altered according to the provisions of this act and all acts and ordinances in force in said city; if the said inspector is served with a written notice by the owner, contractor or contractors of any building or structure to inspect said building in progress of construction or alteration, he or his deputies shall do so. And if said inspector or his deputies shall fail or neglect to attend within twenty-four hours after such written notice has been served upon him for that purpose, he shall forfeit and pay the sum of twenty dollars for each and every day he shall so fail or neglect to attend beyond twenty-four hours, which penalty shall be recoverable by action at law in the name of said city for the use of the owners or contractors of said building.

SECTION 8. In this act the following terms shall have the meanings respectively assigned to them:

* * * * * * *

(*b*) Buildings of the "warehouse class" shall comprise buildings used for storage of merchandise, manufactories in which machinery is operated, breweries and distilleries.

[*Note.*—Cincinnati is the only city which now comes under the provisions of this act. On page 299 of the acts of 1888 will be found a similar act which applies to cities of the first class and second grade. Cleveland is now the only city which comes under the provisions of said act.]

Marking of convict-made goods.

(Page 92.)

SECTION 1. All goods, wares and merchandise made by convict labor in any penitentiary, prison, reformatory or other establishment in which convict labor is employed, in any state except the state of Ohio, and imported, brought or introduced into the state of Ohio, shall, before being exposed for sale, be branded, labelled or marked, as hereinafter provided, and shall not be exposed for sale, in any place within the state without such brand, label or mark.

SECTION 2. The brand, label or mark hereby required shall contain at the head or top thereof the words, "convict made," followed by the year and name of the penitentiary, prison, reformatory, or other establishment in which it was made, in plain English lettering, of the style and size known as great primer Roman condensed capitals. The brand or mark shall in all cases, where the nature of the article will permit, be placed upon the same, and only where such branding or marking is impossible, shall it be placed upon the box or other covering of the same, or be attached to the article as a label. Said brand or mark shall be placed upon the most conspicuous part of the article or its covering, and said label, when used instead of a brand or mark, shall be attached in the most conspicuous place.

SECTION 3. It shall not be lawful for any person dealing in this state, in any such convict made goods, wares or merchandise, * * * to have the same in his possession for the purpose of sale, to offer the same for sale without the brand, mark, or label required by this act, or to remove or deface such brand, mark or label. Any person offending against the provisions of this act shall * * * be sentenced to pay a fine not exceeding ten hundred dollars, or be imprisoned for a term not exceeding twelve months, or both, in the discretion of the court.

Factories—Accidents.

(Page 99.)

SECTION 1. It shall be the duty of all manufacturers of the state, to forward by mail to the chief inspector of workshops and factories, at Columbus, a report of each and every serious accident resulting in bodily injury to any person which may occur in their establishment, giving particulars of the same as fully as can be ascertained, upon blanks which shall be furnished by the chief inspector of workshops and factories. If death shall result to any employé from any such accident, said report shall contain the age, name, sex and employment of the deceased, whether married, the number of persons, if any, deprived of support in consequence thereof, and the cause of the accident, if known. If the accident has caused bodily injury of such a nature as to prevent the person injured from returning to his or her employment within six or more days after the occurrence of the accident, then the report shall contain the age, name, sex and employment of the disabled, the nature and extent of the injury received, how caused, if known, how long continuously disabled, loss of time and wages therefrom, and if possible the expenses thereby incurred in full.

SECTION 2. That any manufacturer who shall fail to comply with the requirement of this act in each case of death by accident within seven days thereafter, and in each case of injury by accident within thirty days thereafter, shall be fined in any sum not less than ten dollars nor more than fifty dollars.

The term manufacturer, * * * shall be held to mean, any person who, as owner, manager, lessee, assignee, receiver, contractor, or who, as agent of any incorporated company makes or causes to be made any kind of goods or merchandise, or who owns, controls, or operates any street railway, laundrying establishment, or is engaged in the construction of buildings, bridges or structures, or in loading or unloading vessels, or cars, or moving heavy materials, or operating dangerous machinery, or in the manufacture or use of explosives.

SECTION 3. It shall be the duty of the chief inspector of workshops and factories, to supply all blanks necessary to make said reports, as required in this act, and to prosecute all violations of this act when the same shall come to his knowledge; provided, that the furnishing of said blanks shall be a condition precedent to prosecution in any case.

Railroads—Blocking of frogs, switches, and guard-rails.

(Page 105.)

SECTION 1. Every railroad corporation operating a railroad or part of a railroad in this state, shall, before the first day of October, in the year eighteen hundred and eighty-eight, adjust, fill or block the frogs, switches and guard-rails on its track, with the exception of guard-rails on bridges, so as to prevent the feet of its employés from being caught therein. The work shall be done to the satisfaction of the railroad commissioner.

SECTION 2. Any railroad corporation failing to comply with the provisions of this act, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

Discharged soldiers, sailors, and marines preferred in employment, on public works.

(Page 149.)

SECTION 1. In every public department, and upon all public works of the state of Ohio, honorably discharged Union soldiers, sailors and marines, of the late rebellion, shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the other requisite qualifications.

Manual training schools.

(Page 251.)

SECTION 1. Boards of education in cities of the first grade of the second class be and they are hereby authorized to make a levy of five-tenths (5-10) of a mill upon each dollar valuation of the taxable property of such cities in addition to the levy authorized for other purposes, the proceeds of such levy to be used for the purpose of purchasing sites for, and erecting manual training schools thereon, such levy to run for the term of five years, at the end of which time a levy of one-fifth (1-5) of one mill annually is hereby authorized for the maintenance of such school.

ACTS OF 1889.

Employment of free laborers in penitentiary prohibited.

(Page 58.)

SECTION 1. It shall be unlawful for any contractor or sub-contractor, now having contracts with, or who may hereafter contract with the state for prison labor, to be performed within the walls of the Ohio penitentiary, to employ any free laborers, except foremen, instructors and draymen to work upon said contracts.

SECTION 2. It shall be unlawful for any warden or officials of said prison, to issue a permit to any free laborer, except as provided for in section 1 of this act, to go upon the inside of said prison for the purposes mentioned in section 1 of this act: and any warden or official of said prison who violates the provisions of this act shall forfeit his office; * * * .

Fire escapes on factories, etc.

(Page 135.)

SECTION 1. All buildings, except such as are used exclusively for private residences, in every city of the first and second grades of the first class, of three or more stories in height, shall each be provided with one or more good and suitable fire-escapes, extending from the first story to the upper stories of such building, and above the roof and on the outer walls thereof, in such location and numbers, and of such material and construction as will insure safe and convenient exit for all occupants of any such building in case of fire, and all passage ways leading to such fire-escapes shall at all times be kept open and free from obstruc-

tion, and any person in any manner obstructing the same, or causing the same to be obstructed, shall be fined not less than twenty-five dollars nor more than one hundred dollars for the first offense, and for any subsequent offense he shall be fined not less than one hundred dollars nor more than two hundred dollars, and be imprisoned in the work-house for a period of not less than ten nor more than sixty days.

SECTION 2. No building within the limits of any city of the first grade of the first class shall be used or occupied in whole or in part as a planing mill, sash, door and blind manufactory, wagon or carriage manufactory, cabinet or furniture manufactory, wood turning or veneering works, agricultural implement manufactory, box or shingle manufactory, or any other wood-working manufactory, two or more stories in height, unless such building so occupied shall have in connection with it a brick or fire-proof vault of sufficient capacity to contain all shavings, sawdust, chips or other light combustible refuse connected therewith; and all such shavings, sawdust, chips and other light combustible refuse shall be removed daily from such premises to such vault.

SECTION 3. No person shall hereafter, either as owner, lessee or agent, use or occupy, or permit the occupation and use above the second story of any store, factory, workshop or other structure where any person or persons shall be employed as workmen or workwomen, for wages, in any trade or occupation, or permit the occupation or use of any building more than two stories in height as an inn, or public house where travelers are lodged, or as a tenement house, without first having obtained a permit in writing from the officer hereinafter designated, under the penalty of not less than $25 for each and every offense, and a further penalty of $50 for each and every day such owner, lessee or agent shall, after the first conviction, neglect or refuse to comply with any of the provisions of this section.

SECTION 4. Every steam boiler furnace used within the corporate limits of any city of the first grade of the first class, shall be so constructed or altered, or have attached thereto such sufficient smoke preventives, as to produce the most perfect combustion of fuel or other material from which smoke results, and so as to prevent the production and emission of smoke therefrom, so far as the same is possible. And any person or persons, association or corporation, being the owner or lessee, or having control of any such steam boiler furnace, shall use or allow the use of any such steam boiler furnace which shall not be so constructed, or if already constructed at the time of the passage of this act, shall not be so altered, or shall not have attached thereto such sufficient smoke preventives so as to produce the most perfect combustion of fuel or other material from which smoke results, and so as to prevent the production and emission of all smoke therefrom, so far as the same is possible, or shall fail to keep such steam boiler furnace for the prevention of smoke, and such smoke preventives in good and efficient order and operation, shall be subject to a fine of not less than twenty dollars nor more than fifty dollars for the first offense, and for each subsequent offense shall be fined not less than fifty nor more than one hundred dollars. And no steam boiler furnace shall hereafter be constructed in any such city of the first grade of the first class, except in accordance with the requirements of this section, under the penalty of fifty dollars for each offense.

SECTION 6. The mayor of the city in every city of the first grade of the first class shall appoint a person of suitable qualifications as supervising engineer, who shall hold his office for the term of two years from and after the date of his appointment, and until his successor is appointed and qualified, and he shall have authority to supervise and require all steam boiler furnaces in such city of the first grade of the first class to be constructed, or if already constructed, to be so altered or have attached thereto such efficient smoke preventives, so as to produce the most perfect combustion of the fuel or other material from which smoke results, and so as to prevent the production and emission of all smoke therefrom so far as the same is possible, and he shall further have authority to supervise the igniting, making, stoking, feeding and attending such steam boiler furnace fire; and he shall also have authority to require the owners, or agents for owners, or lessees of all buildings more than two stories in height, not occupied or used exclusively as private residences, to provide any such building with fire-escapes, of such numbers, construction and material, and in such location as he may determine necessary to the protection of human life in case of fire; and after such determination by the supervising engineer, he may, at any time, by a notice served upon the owner, agent for owner, or lessee of any such building, by leaving with such owner, agent for owner or lessee, or at his or their residence or place of business, a copy of such notice; require such owner,

agent for owner or lessee, or either of them, to cause such fire-escape to be placed upon such building within thirty days after the service of such notice; *Provided, however*, That all buildings more than two stories high, used for manufacturing purposes, shall have one fire-escape for every twenty-five persons or less, employed above the second story, or a fire-proof stairway. In case the lessee, owner or agent for owner, or either of them, so served with notice as aforesaid, shall not within thirty days after the service of such notice upon him or them, place or cause to be placed, such fire-escape upon such building, as required by this article and the terms of such notice, he or they shall be subject to a fine of not less than $10 nor more than $100, and to a further fine of $50 for each week of such neglect to comply with such notice after the service of the same; and he shall further have authority, in the performance of the duties of his office, to enter any steam boiler or engine room, or any building not occupied exclusively as a private residence, and any person or persons hindering or obstructing him in the performance of such duties shall be subject to a fine of not less than twenty dollars nor more than fifty dollars, or imprisoned in the work-house for a period not exceeding thirty days.

SECTION 8. The supervising engineer shall keep an office in the city hall or other suitable place, as shall be provided by the city council, where he shall keep a record in detail of the business and transactions of his office, and all books, stationery, postage and other necessary expenses to be paid from the city treasury, and it shall be the duty of such supervising engineer to commence and aid in prosecuting information or legal proceedings against persons for a violation of any of the provisions of this act; and to enable the said supervising engineer to carry out in the most prompt and effective manner all of the provisions of this act, the city council shall have the power to provide for the appointment, by the mayor, of an assistant supervising engineer, * * * and who, during the disability or absence of the said supervising engineer, shall have the power and perform all of the duties conferred by this act upon the said supervising engineer, and he shall receive for his services such salary as the city council shall prescribe. In cities of the second grade of the first class, the duties herein required to be performed by the supervising engineer, shall be performed by the inspector of buildings, appointed under an act, passed April 16, 1888, except in so far as relates to the duties of the inspection of smoke, and inspection of boiler and engine.

SECTION 9. The penalty for any violation of any provision of this act, not otherwise especially provided for, shall not be less than twenty dollars; not more than fifty dollars for the first offense and not less than fifty nor more than one hundred dollars for each subsequent offense.

Employment for children.

(Page 333.)

SECTION 1. All parents, guardians and other persons who have care of children shall instruct them, or cause them to be instructed, in spelling, reading, writing, English grammar, geography and arithmetic, and every parent, guardian, or other person having control and charge of any child between the ages of eight and fourteen years, shall be required to send any such child or children to a public or private school for a period of not less than twenty weeks in city districts in each year, ten weeks of which, at least, shall be consecutive, and in village and township districts not less than sixteen weeks in each year, eight of which shall be consecutive, unless such child or children are excused from such attendance by the superintendent of the public, private, or parochial schools in cities, or by authority of the board of education in villages and townships, when it shall have been shown to the satisfaction of said superintendent, or said board, that the physical or mental condition of such child or children has been such as to prevent his, her or their attendance at school, or that said child or children are taught at home by some qualified person or persons in such branches as are usually taught in primary schools.

SECTION 2. No child under the age of fourteen years shall be employed by any person, company or corporation during the school term, and while the public schools are in session, unless the parent, guardian or other persons having care of such child, shall be able to give substantial proof that he or she has fully complied with the requirements of section one of this act, or that such child has completed the usual course of primary and grammar grades in some public or private school, and such person, company or corporation shall demand such

proof before giving employment to any minor, and shall make a record of said proof given, * * * and any person, company or corporation employing any child contrary to the provisions of this act shall be liable to a penalty of fifty dollars for each offense, * * * .

SECTION 3, (as amended by act passed April 2, 1890; laws of Ohio, vol. 87, page 142). All minors over the age of fourteen, and under sixteen years, who cannot read and write the English language, shall be required to attend school at least one-half of each day, or to attend some evening school organized and maintained by the board of education, or to take regular private instruction from some person qualified, * * * until he or she shall obtain a certificate from the superintendent of schools in cities and the clerk of the board of education in special, village and township districts, certifying that said minor can read at sight and write legibly simple sentences in the English language, and every person, company or corporation, having such minor in employment shall be required to exact such school attendance from such minor, * * * .

ACTS OF 1890.

Hours of labor—Railroad employés.

(Page 112.)

SECTION 1. No company operating a railroad over thirty miles in length, in whole or in part, within this state, shall permit or require any conductor, engineer, fireman or brakeman on any train who has worked in his respective capacity for twenty-four consecutive hours, except in case of casualty, to again go on duty or perform any work until he has had at least eight hours' rest. Ten hours' labor shall constitute a day's work, and for every hour in excess of said ten hours' work, that any conductor, engineer, fireman, brakeman or any trainman of a company, who works under directions of a superior, or at the request of the company, shall be required or permitted to work, he shall be paid for said extra services in addition to his per diem.

SECTION 2. Any company which violates, or permits to be violated any of the provisions of the preceding section, or any officer, agent or employé who violates or permits to be violated any of the provisions of the preceding section, shall be fined not less than one hundred dollars nor more than one hundred and fifty dollars.

Trade marks of trade unions, etc.

(Page 141.)

SECTION 1. Every union or association of workingmen or women, adopting a label, mark, name, brand or device, intending to designate the products of the labor of members of such union or association of workingmen or women shall, in order to obtain the benefits of this act, file duplicate copies of such label, mark, name, brand or device in the office of the secretary of state, who shall, under his hand and seal, deliver to the party filing or registering the same a certified copy and a certificate of the filing thereof, * * * .

SECTION 2. Every union or association of workingmen or women adopting such label, mark, name, brand or device, and filing the same as specified in the first section of this act, may proceed, by suit in any of the courts of record in the state, to enjoin the manufacture, use, display or sale of counterfeits or colorable imitations of such label, mark, name, brand or device, or of goods bearing the same; and the court having jurisdiction of the parties shall grant an injunction restraining such wrongful manufacture, use, display or sale of such counterfeits or colorable imitations, and of goods bearing the same, and shall award to the complainants such damages resulting from such wrongful manufacture, use, display or sale, as may be proved, and shall require the defendant to pay to the complainants the profits derived from such wrongful manufacture, use, display or sale, or both profits and damages.

SECTION 3. In like manner the courts of record of this state shall, in a suit brought by a union or association of workingmen or women, restrain by injunction every unauthorized use or display by others of the genuine labels, marks, names, brands or devices registered in the manner specified in the first section of this act, in all cases where such use or display is not authorized by the owner

or owners thereof; and shall award damages and profits in such cases the same as in cases of the use of counterfeited labels, marks, names, brands or devices.

SECTION 4. In no case shall the certificate from the secretary of state, obtained in conformity with the first section of this act, be assignable by the party to whom the same is issued.

Unlawful acts of railroad corporations concerning employés.

(Page 149.)

SECTION 1. It shall be unlawful for any railroad or railway corporation or company owning and operating, or operating * * * a railroad in whole or in part in this state, to adopt or promulgate any rule or regulation for the government of its servants or employés, or make or enter into any contract or agreement with any person engaged in or about to engage in its service, in which, or by the terms of which, such employé in any manner, directly or indirectly, promises or agrees to hold such corporation or company harmless, on account of any injury he may receive by reason of any accident to, breakage, defect or insufficiency in the cars or machinery and attachments thereto belonging, upon any cars so owned and operated, or being run and operated by such corporation, or company being defective, and any such rule, regulation, contract or agreement shall be of no effect. It shall be unlawful for any corporation to compel or require directly or indirectly an employé to join any company association whatsoever, or to withhold any part of an employé's wages or his salary for the payment of dues or assessments in any society or organization whatsoever, or demand or require either as a condition precedent to securing employment or being employed, and said railroad or railway company shall not discharge any employé because he refuses or neglects to become a member of any society or organization. And if any employé is discharged he may, at any time within ten days after receiving a notice of his discharge, demand the reason of said discharge, and said railway or railroad company thereupon shall furnish said reason to said discharged employé in writing. And no railroad company, insurance society or association, or other person shall demand, accept, require, or enter into any contract, agreement, stipulation with any person about to enter, or in the employ of any railroad company whereby such person stipulates or agrees to surrender or waive any right to damages against any railroad company, thereafter arising for personal injury or death, or whereby he agrees to surrender or waive in case he asserts the same, any other right whatsoever, and all such stipulations and agreements shall be void, and every corporation, association or person violating or aiding or abetting in the violation of this section shall for each offense forfeit and pay to the person wronged or deprived of his rights hereunder the sum not less than fifty dollars, nor more than five hundred dollars to be recovered in a civil action.

SECTION 2. It shall be unlawful for any such corporation to knowingly or negligently use or operate any car or locomotive that is defective, or any car or locomotive upon which the machinery or attachments thereto belonging are in any manner defective. If the employé of any such corporation shall receive any injury by reason of any defect in any car or locomotive, or the machinery or attachments thereto belonging, owned and operated, or being run and operated by such corporation, such corporation shall be deemed to have had knowledge of such defect before and at the time such injury is so sustained, and when the fact of such defect shall be made to appear in the trial of any action in the courts of this state, brought by such employé, or his legal representatives, against any railroad corporation for damages, on account of such injuries so received, the same shall be prima facie evidence of negligence on the part of such corporation.

SECTION 3. In all actions against the railroad company for personal injury to, or death resulting from personal injury, of any person, while in the employ of such company, arising from the negligence of such company or any of its officers or employés, it shall be held in addition to the liability now existing by law, that every person in the employ of such company, actually having power or authority to direct or control any other employé of such company, is not the fellow servant, but superior of such other employé, also that every person in the employ of such company having charge or control of employés in any separate branch or department, shall be held to be the superior and not fellow servant of employés in any other branch or department who have no power to direct or control in the branch or department in which they are employed.

Employment of children.

(Page 161.)

SECTION 1. No child under the age of sixteen years, shall be employed by any person, firm, or corporation in this state, at employment whereby its life or limb is endangered, or its health is likely to be injured, or its morals may be depraved by such employment.

SECTION 2. Any person, firm, or corporation in this state who wilfully causes or permits the life or limb of any child under the age of sixteen years to be endangered, or its health to be injured, or its morals to become depraved, from and while actually in their employ, or who wilfully permits such child to be placed in such a position or to engage in such employment that its life or limb is in danger, or its health likely to be injured, or its morals likely to be impaired by such position or employment, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than fifty dollars, or imprisonment not less than thirty nor more than ninety days for each and every offense.

SECTION 3. It shall be the duty of the state inspector of workshops and factories to enforce the provisions of this act.

Compulsion of employés to work on election day unlawful.

(Page 280.)

SECTION 1. The first Tuesday after the first Monday in November of each year, from and between the hours of twelve o'clock noon and two o'clock p. m., shall be, for election purposes only, a legal part holiday. And no employé who is an elector shall be compelled or required to perform any labor between said hours, nor shall any employer or his or its officers or agents discharge any such employé because he fails or refuses to labor between said hours or require or order any such employé to accompany him to the voting place of such employé, and any person violating any of the provisions of this act shall upon conviction be fined not more than twenty-five dollars.

Labor Day.

(Page 355.)

SECTION 1. The first Monday in September of each and every year, shall be known as labor day; and be for all purposes whatever, except for the presentment for payment or acceptance, and the protesting or the giving of notice of non-acceptance or of non-payment of all negotiable instruments, considered as the first day of the week.

OREGON.

HILL'S ANNOTATED LAWS OF 1887.

CODE OF CIVIL PROCEDURE.

CHAPTER 3.—*Exemption from execution—Personal property.*

SECTION 282. * * * The following property shall be exempt from execution, if selected and reserved by the judgment debtor or his agent at the time of the levy, or as soon thereafter before sale thereof as the sale shall be known to him, and not otherwise:—

1. Books, pictures, and musical instruments owned by any person, to the value of seventy-five dollars.

2. Necessary wearing apparel owned by any person, to the value of one hundred dollars, and if such person be a householder, for each member of his family to the value of fifty dollars.

3. The tools, implements, apparatus, team, vehicle, harness, or library necessary to enable any person to carry on the trade, occupation, or profession by which such person habitually earns his living, to the value of four hundred dollars. Also sufficient quantity of food to support such team, if any, for sixty days; the word "team" in this subdivision shall not be construed to include more than one yoke of oxen, or a span of horses or mules, as the case may be.

4. The following property, if owned by a householder, and in actual use or kept for use, by and for his family, or when being removed from one habitation to another on a change of residence: Ten sheep, with one year's fleece, or the yarn or cloth manufactured therefrom; two cows and five swine, household goods, furniture and utensils, to the value of three hundred dollars; also food sufficient to support such animals, if any, for three months, and provisions actually provided for family use, and necessary for the support of such householder and family for six months.

5. The seat or pew occupied by a householder or his family in a place of public worship.

* * * * * * * *

7. No article of property, or if the same has been sold or exchanged, then neither the proceeds of such sale nor the article received in exchange therefor, shall be exempt from execution issued on a judgment recovered for its price.

CHAPTER 3.—*Exemption from garnishment, etc.—Wages.*

SECTION 313. The earnings of a judgment debtor for personal services, at any time within thirty days next preceding the judgment against a garnishee, shall not be included in such judgment, when it shall be made to appear by the affidavit of the judgment debtor, or otherwise, that such earnings are necessary for the use of a family supported wholly or partly by his labor.

CRIMINAL CODE.

TITLE II.—*Sunday labor.*

SECTION 1890. If any person shall keep open any store, shop, grocery, ball-alley, billiard-room, or tippling-house, for the purpose of labor or traffic, * * * on the first day of the week, commonly called Sunday or the Lord's day, such person, upon conviction thereof, shall be punished by a fine not less than five nor more than fifty dollars; *Provided*, That the above provision shall not apply to the keepers of drug stores, doctor shops, undertakers, livery-stable keepers, barbers, butchers, and bakers; and all circumstances of necessity and mercy may be pleaded in defense, which shall be treated as questions of fact for the jury to determine, when the offence is tried by jury.

TITLE II.—*Intimidation, etc., of employers and employés.*

SECTION 1893. If any person shall, by any use of force, threats, or intimidation, prevent or endeavor to prevent any person employed by another from continuing or performing his work, or from accepting any new work or employment, or if any person shall, by the use of like means, prevent or endeavor to prevent another from employing any person, or to compel another to employ any person, or to force or induce another to alter his mode of carrying on business, or to limit or increase the number of persons employed by him, or their rate of wages or term of service, such person, upon conviction thereof, shall be punished by imprisonment in the county jail not less than one month nor more than six months, or by fine not less than twenty, nor more than three hundred dollars.

MISCELLANEOUS LAWS.

CHAPTER 17.—*Exemption from taxation.*

SECTION 2732. The following property shall be exempt from taxation:

* * * * * * *

8. The personal property of every householder, to the amount of three hundred dollars, the articles to be selected by such householder * * *.

CHAPTER 47.—*Labor Day.*

SECTION 3544. The first Saturday of June of each and every year be, and the same is hereby set apart and declared to be, a public holiday, under the name and title of Labor Day.

CHAPTER 65.—*Convict labor.*

SECTION 3862. The superintendent of the penitentiary be and he is hereby authorized to make contracts with any responsible person or persons, residents of this state, for the labor of the convicts confined in the penitentiary, for a sum not less than forty cents per day for each convict. * * * no contract shall be made for a longer period than ten years.

SECTION 3864. Any person or persons with whom any such contract shall be made shall be entitled to the services of such number of the convicts as he or they may have contracted for. Such services shall be performed by the convicts within the penitentiary building, or within the yard or inclosure thereof. And no convict shall be compelled to labor for a longer time than ten hours each day.

CHAPTER 87.—*Employment, etc., of Chinese.*

SECTION 4235. * * * It shall be unlawful to employ any Chinese laborers on any street or part of street of any city or incorporated town of this state, or any public works or public improvement of any character, except as a punishment for crime; and all contracts which any person or corporation may have for the improvement of any such street or part of street, or public works or improvements of any character, shall be null and void from and after the date of any employment of Chinese laborers thereon by the contractor * * * .

NOTE.—"The above section has been held void by the U. S. circuit court in Baker *v.* Portland, 5 Saw. 566. In city of Portland *v.* Baker the circuit court of the state for the fourth district held the section valid. An appeal was taken to the supreme court of the state, but the case was decided in that court upon other points. (City of Portland *v.* Baker, 8 Oregon, 356.)"

PENNSYLVANIA.

CONSTITUTION.

ARTICLE 3.—*Local or special laws regulating labor, etc., not to be passed.*

SECTION 7. The general assembly shall not pass any local or special law * * * regulating labor, trade, mining or manufacturing * * * .

BRIGHTLY'S PURDON'S DIGEST, EDITION OF 1885.

Courts of conciliation.

(Page 114.)

SECTION 67. Whereas, differences arise between persons engaged in the iron, steel, glass, textile fabrics and coal trades in this state, and strikes and lockouts result therefrom, which paralyze these important industries, bring great loss upon both employer and employed, and seem to find their only solution in starvation or in force, which does not accord with the teachings of humanity and the true policy of our laws: And whereas, voluntary tribunals, mutually chosen, with equality of representation and of rights, and a frank discussion therein by the persons interested, of the business questions involved, are the plain paths to mutual concession and cessation of strife, and the choice of an umpire by the parties themselves, to whose arbitrament the matters in dispute are to be submitted for final decision, if they fail to agree, is in accord with the practice and policy of this commonwealth: Therefore, the presiding judges of the courts of common pleas, or the president judges thereof, in chambers, in the counties of Philadelphia and Allegheny, and of each of the other judicial districts of this commonwealth, shall have power, and upon the presentation of the petition, or of the agreement hereinafter named, it shall be the duty of each of them, to issue, in the form hereinafter named, a license or authority for the establishment, within their respective districts, of tribunals for the consideration and settlement of disputes between employers and employed, in the iron, steel, glass, textile fabrics, and coal trades, and each of them.

SECTION 68. The said petition or agreement shall be substantially in the form hereinafter given, and the petition shall be signed by at least fifty persons em-

ployed as workmen, by five or more separate firms, individuals, or corporations within the county where the petitioners reside, or by at least five employers, each of whom shall employ at least ten workmen, or by the representatives of a firm, individual or corporation employing not less than seventy-five men in their business; and the agreement shall be signed by both of said specified numbers and persons: *Provided*, That if, at the time the petition is presented, a dispute exists between the employers and the workmen, and that as a consequence there is a suspension of work, or owing to the nature of the dispute, a suspension is probable, the judge before whom said petition is presented, shall require testimony to be taken as to the representative character of said petitioners, and if it appears that the said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of the said tribunal may be denied.

SECTION 69. The persons signing said petition as workmen, shall each have been a resident of the judicial district in which the petition shall be presented, for at least one year, shall have been engaged in some branch of the trade they profess to represent, for at least two years, and be a citizen of the United States. The persons signing the same as employers, shall be citizens of the United States, and shall be, and shall have been, actually engaged in some branch of the iron, steel, glass, textile fabrics or coal trade, within the judicial district, for at least one year, and shall each employ therein at least ten workmen, of the class hereinbefore described, and may be a firm, individual or corporation; and the said petition shall be verified by the oaths of at least two of the signers, attesting the truth of the facts stated therein, and the qualifications of the signers thereto.

SECTION 70. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of each side, and of the umpire mutually chosen, the judge shall forthwith issue a license, substantially in the form hereinafter given, authorizing the existence of such tribunal and fixing the time and place for the first meeting thereof, which shall be made a record in the court of common pleas over which said judge presides.

SECTION 71. If the petition shall be signed by the requisite number of either workmen or employers, and not by both, and be in proper form, the judge shall issue his license for the creation of such tribunal, conditioned upon the assent and agreement of the necessary number of that side to the issue, which shall not have signed the petition; which assent shall be in writing, signed by the requisite number, and contain the names of the members of the tribunal, and the umpire, and upon the presentation of such petition and assent, the judge shall issue his license for a tribunal, as provided in section four of this act; but if no such assent shall be obtained, within sixty days from the date of the conditional license, the petition shall be taken as dismissed, but if the assent be signed, a record shall be made of the license, as if made upon original agreement.

SECTION 72. One of the said tribunals may be created for each of the trades named in the first section of this act, in each judicial district; they shall continue in existence for one year from date of the license creating them, and may take jurisdiction of any dispute between employers and workmen, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit their disputes in writing to such tribunal for decision. Vacancies occurring in the membership of the tribunal, shall be filled by the judge, out of the three names presented to him by the members of the tribunal remaining of that class in which the vacancies occur. Removal to an adjoining district shall not cause a vacancy, in either the tribunal or the post of umpire. Disputes, occurring in one county, may be referred to a tribunal already existing in an adjoining county. The place of umpire, in any of said tribunals and vacancies occurring in such place, shall only be filled by the mutual choice of the whole of the representatives, of both employers and workmen constituting the tribunal. The umpire shall only be called upon to act, after disagreement is manifested in the tribunal, by failure during three meetings held, and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same, and upon questions affecting the price of labor; it shall in no case be binding upon either employer or workmen, save as they may acquiesce or agree therein after such award.

SECTION 73. The said tribunal shall consist of not less than two employers or their representatives, and two workmen. The exact number, which shall in each case constitute the tribunal, shall be inserted in the petition or agreement, and they shall be named in the license issued. The said tribunal, when convened, shall be organized by the selection of one of their number as chairman, and one

as secretary, who shall be chosen by a majority of the members, or if such majority cannot be had, after two votes, then by secret ballot, or by lot, as they prefer.

SECTION 74. The members of the tribunal shall receive no compensation for their services from the city or county, but the expenses of the tribunal, other than fuel, light and use of room and furniture, may be paid by voluntary subscription, which the tribunal is authorized to receive and expend for such purposes. Each city or county, in which such tribunal shall be created, shall pay for the fuel, lights and use or rent of a room and furniture for the same, which it is hereby authorized to obtain, but the cost of the same shall only be paid upon sworn vouchers, submitted to, and approved by, the proper judge of the judicial district.

SECTION 75. When no umpire is acting, the chairman shall have power to administer oaths, sign subpœnas, orders, notices and other proceedings of the board; and when the umpire shall be acting, this authority shall be vested in him, and all of the authority vested in boards of arbitrators, by the compulsory arbitration act of June 13th, 1836, for procuring witnesses, preserving order and obtaining proofs, shall be and is hereby vested in such umpire, when acting. Attorneys at law, or other agents of one side or the other, shall not be permitted to appear, or take part in any of the proceedings of the tribunal or before the umpire; but the same shall be as far as possible voluntary, and upon examination of proofs and witnesses by the tribunal itself and the umpire. When the umpire is acting, he shall preside; and his determination upon all questions of evidence, or otherwise in conducting the inquiries then pending, shall be final. Committees of the tribunal, consisting of an equal number of each class, may be constituted to examine into any question in dispute, between employers and workmen, submitted to the tribunal, and such committee may hear and settle the same finally, when it can be done, by an unanimous vote; otherwise the same shall be reported to the full tribunal, and be there heard, as if the question had been originally examined by it. The said tribunals, in connection with the umpire, shall each have power to make, ordain and enforce rules for the government of the body when in session, to enable the business to be proceeded with in order, and to fix its sessions and adjournments; but such rules shall not conflict with this statute, nor with any of the provisions of the constitution and laws of Pennsylvania.

SECTION 76. Before the umpire shall proceed to act, the question or questions in dispute shall be plainly defined in writing, and signed by the members of the tribunal, or a majority thereof of each class, or by the parties submitting the same; and such writing shall contain the submission of the decision thereof to the umpire by name, and shall provide that his decision thereon, after hearing, shall be final. The umpire shall be sworn to impartially decide the question submitted. The submission and his award may be made in the form hereinafter given; and said umpire must make his award within ten days from the time the question or questions in dispute are submitted to him. When such award shall be made and signed by the umpire, it may be made a matter of record, by producing the same, within thirty days, with the submission in writing, to the proper judge. If he approves the same, he shall endorse his approval thereon, and direct the same to be entered of record. When so entered of record, it shall be final and conclusive, and the proper court may, on motion of any one interested, enter judgment thereon; and when the award is for a specific sum of money, may issue final and other process, to enforce the same.

SECTION 77. This act shall be cited and quoted as the, "voluntary trade tribunal act, of 1883."

Certain assignments, etc., by corporations unlawful.

(Page 118.)

SECTION 1. It shall not be lawful for any company incorporated by the laws of this commonweath, and empowered to construct, make and manage any railroad, canal or other public internal improvement, while the debts and liabilities, or any part thereof incurred by the said company to contractors, laborers and workmen employed in the construction or repairs of said improvement remain unpaid, to execute a general or partial assignment, conveyance, mortgage or other transfer of the real or personal estate of the said company, so as to defeat, postpone, endanger or delay their said creditors, without the written assent of the said creditors first had and obtained; and any such assignment, conveyance, mortgage or transfer shall be deemed fraudulent, null and void, as against any such contractors, laborers and workmen, creditors as aforesaid.

Wages preferred—In assignments.

(Page 119.)

SECTION 4. In all assignments of property, whether real or personal, which shall hereafter be made by any person or persons or chartered company, to trustees or assignees, on account of inability, at the time of the assignment, to pay his or their debts, the wages of miners, mechanics and laborers employed by such person or persons or chartered company, shall be first preferred and paid by such trustees or assignees, before any other creditor or creditors of the assignor: *Provided*, That any one claim thus preferred shall not exceed [one hundred] dollars.

Corporations—Liabilities of stockholders for debts due employés.

(Page 345.)

SECTION 45. The stockholders * * * shall be liable, in their individual capacity, to the amount of stock held by each of them, for all work or labor done to carry on the operations of each of said corporations * * * .

Protection of employés as voters.

(Page 418.)

SECTION 81. Any person who shall, * * * with the intent to influence or intimidate such elector to give his vote for any particular candidate or candidates at such election, give, offer or promise to give such elector, any * * * place * * * or employment, or threaten such elector with dismissal or discharge from any * * * place * * * or employment, public or private, then held by him, in case of his refusal to vote for any particular candidate or candidates at such election, the person so offending shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, not exceeding two years.

Strikes.

(Page 426.)

SECTION 128. If any locomotive engineer, or other railroad employee upon any railroad within this state, engaged in any strike, or with a view to incite others to such strike, or in furtherance of any combination or preconcerted arrangement with any other person to bring about a strike, shall abandon the locomotive engine in his charge, when attached either to a passenger or freight train, at any place other than the schedule or otherwise appointed destination of such train, or shall refuse or neglect to continue to discharge his duty, or to proceed with said train to the place of destination as aforesaid, he shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 129. If any locomotive engineer, or other railroad employee, within this state, for the purpose of furthering the object of, or lending aid to any strike or strikes, organized or attempted to be maintained on any other railroad, either within or without this state, shall refuse or neglect, in the course of his employment, to aid in the movement over and upon the tracks of the company employing him, [or] the cars of such other railroad company, received therefrom in the course of transit, he shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 130. If any person, in aid or furtherance of the objects of any strike upon any railroad, shall interfere with, molest or obstruct any locomotive engineer, or other railroad employee, engaged in the discharge and performance of his duty as such, every person so offending shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be fined not less than one hundred nor more than two hundred dollars, and may be imprisoned for a term not exceeding six months, at the discretion of the court.

SECTION 131. If any person or persons, in aid or furtherance of the objects of any strike, shall obstruct any railroad track within this state, or shall injure or destroy the rolling stock or any other property of any railroad company, or shall take possession of, or remove any such property, or shall prevent or attempt to prevent the use thereof by such railroad company or its employees, every such person so offending shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars, and may be imprisoned not less than six months nor more than one year, at the discretion of the court.

Wages preferred—In administration.

(Page 525.)

SECTION 94. All debts owing by any person within this state, at the time of his decease, shall be paid by his executors or administrators, so far as they have assets, in the manner and order following, viz: (1) Funeral expenses, medicine furnished and medical attendance given during the last illness of the decedent, and servants' wages, not exceeding one year * * * .

Exemption from execution—Personal property.

(Page 742.)

SECTION 23. * * * property to the value of three hundred dollars, exclusive of all wearing apparel of the defendant and his family, and all bibles and school-books in use in the family (which shall remain exempted * * *), and no more, owned by or in possession of any debtor, shall be exempt from levy and sale on execution or by distress for rent.

SECTION 30. All sewing machines belonging to seamstresses, in this commonwealth, shall be exempt from levy and sale on execution or distress for rent, in addition to any articles or money now exempt by law.

SECTION 31. * * * [The above section] shall, from and after the passage of this act, apply to all sewing machines used and owned by private families in this commonwealth: *Provided*, That this act shall not apply to persons who keep sewing machines for sale or hire.

SECTION 32. All pianos, melodeons and organs, leased or hired by any person or persons residing in this commonwealth, shall be exempt from levy and sale on execution or distress for rent due by such person or persons so leasing or hiring any such piano or pianos, melodeon or melodeons, organ or organs, in addition to any articles or money now exempt by law: *Provided*, That the owner or owners of any such piano, melodeon or organ, or his or their agent, or the person or persons so leasing or hiring the same, shall give notice to the landlord or his agent that the instrument is leased or hired.

SECTION 33, (as amended by chapter 2, acts of 1887). No exemption of property from attachment, levy, or sale upon execution, shall be allowed upon judgment for one hundred dollars or less, obtained for wages for manual labor.

Exemption from garnishment, etc.—Wages.

(Page 746.)

SECTION 40. * * * the wages of any laborers, or the salary of any person in public or private employment, shall not be liable to attachment in the hands of the employer.

Employment, hours of labor, etc., of children.

(Page 771.)

SECTION 1. Labor performed during a period of ten hours, on any secular day, in all cotton, woolen, silk, paper, bagging and flax factories, shall be considered a legal day's labor; and hereafter no minor shall be employed in or about any of said factories until he or she shall have obtained [attained] to the age of thirteen years.

[*Note.*—See page 1009, section 1, following, for subsequent law on hours of labor.]

SECTION 2. If any owner or employer of or in any of the said factories, or his, her or their agent, shall wilfully or knowingly employ any minor below the age

of thirteen years as aforesaid, the person or persons so offending shall pay a penalty of fifty dollars for every such offense, to be sued for and recovered by any person suing for the same, as other debts of like amount are now by law recoverable, one-half of the same to belong to the persons suing for the same, and the other half to the county in which the offence was committed.

SECTION 3. No minor who has attained the age of thirteen, and is under the age of sixteen years, shall be employed in any of the factories aforesaid for a longer period than nine calendar months in any one year, and who shall not have attended school for at least three consecutive months within the same year; and any owner or employer of or in any of the factories aforesaid, offending against the provisions of this section shall be liable to the penalty provided in the 3d section of this act, to be sued for, recovered and applied as therein provided.

SECTION 4. If any parent or guardian shall consent to, permit or connive at the employment of his or her child or ward, under the age of thirteen years, in any of the said factories; or if such parent or guardian shall consent to, permit or connive at the employment of his or her child or ward, over the age of thirteen years, and under the age of sixteen years, for a longer period than ten hours in any secular day, the person so offending shall forfeit and pay the sum of fifty dollars for every such offence, to be sued for and recovered as provided in the 3d section of this act, and for the uses therein specified.

SECTION 5. No male or female operative under the age of twenty-one years shall, under any contract, be employed in cotton, woolen, silk, flax, bagging or paper manufactories in this commonwealth, for a longer period than sixty hours in any one week, or more than an average of ten hours a day during the same period.

SECTION 6. If any person shall knowingly employ, or any parent or guardian consent to the employment of any male or female operative, under the age of twenty-one years as aforesaid, contrary to the preceding section, and proof be made thereof before any alderman or justice of the peace of the ward, borough or district where such offence is committed, he, she or they so employing such operatives, or consenting thereto as aforesaid, shall, for every such offence, forfeit and pay the penalty of not less than ten, nor more than fifty dollars, to be recovered before any alderman or justice of the peace of the proper ward, borough or district, in the same manner as the like penalties are now recovered, to be applied to the use of the public schools of the proper district: *Provided*, That no penalty shall be recovered under this act, unless sued for within one month after the same shall have occured; nor shall any person recover more than one penalty for the working of any factory for the same period of time.

Fire escapes on factories, etc.

(Page 813.)

SECTION 3, (as amended by chapter 42, acts of 1885). * * * every storehouse, factory, manufactory or workshop of any kind in which employés or operatives are usually employed at work in the third or any higher story, every tenement house or building in which rooms or floors are usually let to lodgers or families, * *. * when any of such buildings are three or more stories in height, shall be provided with a permanent, safe external means of escape therefrom, in case of fire independent of all internal stairways; the number and location of such escapes to be governed by the size of the building, and the number of its inmates, and arranged in such a way as to make them readily accessible, safe and adequate for the escape of said inmates. Such escapes to consist of outside open, iron stairway, of not more than forty-five degrees slant, with steps not less than six inches in width and twenty-four inches in length. And all of said buildings capable of accommodating from one hundred to five hundred or more persons as operatives, * * * or inmates, shall be provided with two such stairways, and more than two stairways, if such be necessary to secure the speedy and safe escape of said inmates, in case the internal stairways are cut off by fire or smoke. And it shall be the duty of the owner or owners in fee or for life, of every such building, and of the trustee or trustees of every estate, association, society, * * * owning or using any such building, * * * to provide and cause to be securely affixed outside of every such building such permanent external unenclosed fire escape: *Provided*, That nothing herein contained shall prohibit any person whose duty it is under this act to erect fire escapes, from selecting and erecting any other and different device, design or instrument, being a perma-

nent, safe, external means of escape, subject to the inspection and approval of the constituted authorities for that purpose.

SECTION 5, (as amended by chapter 42, acts of 1885). Every person, corporation, * * * neglecting or refusing to comply with the requirements of section [3 above] * * * in erecting said fire escape or escapes shall be liable to a fine not exceeding three hundred dollars, and also be deemed guilty of a misdemeanor punishable by imprisonment for not less than one month, or more than two months. And in case of fire occurring in any of said buildings in the absence of said fire escape or escapes, approved by certificate of said officials, the said person or corporation shall be liable in an action for damages in case of death or personal injuries sustained in consequence of such fire breaking out in said building, and shall also be deemed guilty of a misdemeanor punishable by imprisonment for not less than six months, nor more than twelve months: and such action for damages may be maintained by any person now authorized by law to sue as in other cases of similar injuries: *Provided*, That nothing in this act shall interfere with fire escapes now in use approved by the proper authorities.

SECTION 6, (as amended by chapter 189, acts of 1889). In addition to the means of escape required in section [3 above] * * * it shall be the duty of the owner or owners, in fee or for life, of every building constructed more than two stories high and used or intended to be used as a * * * factory, manufactory, work shop, tenement house, * * * and of the trustee or trustees of every estate, association, society, * * * owning or using any building constructed more than two stories high and used, or intended to be used, for any of said purposes, * * * to provide and cause to be securely affixed to a bolt through the wall over the window-head, inside of at least one window in each room on the third floor, and in each room on each higher floor, of every such building, a chain of at least ten feet in length, with a rope at least one inch in diameter, securely attached thereto, of sufficent length to extend to the ground, or such other appliances as may be approved by the board of fire commissioners of any city or county having a board of fire commissioners, or by the county commissioners of any county where there is no board of fire commissioners: *Provided, however*, That when the third floor or any higher floor of any such building is not subdivided into rooms, then at least six windows of each of such floors shall be provided with such chains and ropes, or such other appliances as may be approved by any board of fire commissioners, or by the county commissioners of any county where no board of fire commissioners shall exist: *And provided further*, That whenever any room on the third floor, or on any higher floor of any such building, shall contain more than three windows, then at least one window out of every three windows in every such room, shall be provided with such chain and rope, or other such appliance as may be approved by any board of fire commissioners, or by the county commissioners of any county having no board of fire commissioners. And each of such ropes shall be coiled and kept in an unlocked box, in an unobstructed place, near the inside sill of the window to which such rope is attached. And in all * * * factories, manufactories, workshops, * * * or other places mentioned in this act, the hallways and stairways shall be properly lighted at night, and at the head and foot of each flight of stairs, and at the intersection of all hallways with main corridors, shall be kept during the night, a red light, and one or more proper alarms or gongs, capable of being heard throughout the building, shall always remain easy of access and ready for use in each of said buildings, to give notice to the inmates in case of fire. And every keeper of such * * * factory, manufactory, workshop, * * * shall keep posted in a conspicuous place in every sleeping room, a notice descriptive of such means of escape. And the board of fire commissioners, and the county commissioners of any county having no board of fire commissioners, shall have the right to designate the location of the chains and ropes, or other such appliances, in conformity with this act, to be attached to any building under the provisions of this act, and shall grant certificates of approval to every person, firm, corporation, * * * complying with the requirements of this act; which certificates shall relieve the party or parties to whom the same shall be issued from the liabilities, fines, damages and imprisonment imposed by this act. * * *

SECTION 7, (as amended by chapter 41, acts of 1885). Every person, corporation, * * * neglecting or refusing to comply with the requirements of [section 6 above] * * * shall be liable to a fine not exceeding three hundred dollars, to be collected as fines are now by law collectible, and shall also be deemed guilty of a misdemeanor, punishable by imprisonment for not less than one month, nor more than twelve months. And in case of fire occurring in any

such building not provided with the chains and ropes, or such other appliances as may be required by any board of fire commissioners, or by the county commissioners of any county where no board of fire commissioners shall exist, in accordance with the requirements of [section 6, above], the person, persons, * * * corporation, * * * who or which, neglected or refused to provide such building with the chains and ropes, or such other appliances as aforesaid, shall be liable in an action for damages in case of death or personal injury being caused in consequence of such fire breaking out in said building, and such action may be maintained by any person or persons now authorized by law to sue in other cases for injuries caused by neglect of duty.

Convict labor.

(Page 841.)

SECTION 1. The malefactors sentenced to hard labor as aforesaid [in jails and workhouses] in the several counties of this state, other than the county of Philadelphia, shall be employed in the several jails and workhouses in the respective counties, in such hard and servile labor * * * .

SECTION 3. The * * * commissioners shall, at the charge of the proper county, provide * * * such articles and materials of labor and manufacture, as shall be most suitable for the employment of all those who are capable of labor or manufacture, and deliver the same to the said jailor or workhouse keeper, taking a receipt therefor; and the jailor or workhouse keeper shall render an account quarterly, or oftener, if required, to the commissioners, of the work done by the said malefactors, and dispose of the same in such manner as the commissioners shall direct. * * *

Convict labor.

(Page 844.)

SECTION 13. Every person who shall be convicted, * * * in any court of criminal jurisdiction, in the city or county of Philadelphia, of any crime, the punishment of which would be imprisonment [in Philadelphia county prison] * * * for a period of time under [one] year, shall be sentenced by the proper court, to suffer punishment in the new prison aforesaid, by separate confinement at labor, for and during the term of their sentence * * * .

SECTION 14. Every person who shall, * * * be convicted in any court of criminal jurisdiction in the city or county of Philadelphia, of any crime, the punishment of which would be imprisonment * * * for a period of time under two years, shall be sentenced by the proper court, to suffer punishment in the Philadelphia county prison, by separate or solitary confinement, at hard labor, for and during the term of their sentence * * * .

SECTION 19. * * * It shall be the duty of the inspectors to make the necessary contracts for the purchase of * * * all articles and supplies necessary for the support and employment of the persons confined in said prison, and to direct the manner in which they shall be employed, and the articles manufactured shall be sold * * * .

Convict labor.

(Page 876.)

SECTION 3. * * * the managers [of the house of correction] shall have power, in their discretion, to place the children * * * committed to their care, during the time of commitment of the said children, at such employments, and cause them to be instructed in such branches of useful knowledge, as may be suited to their years and capacities, and to place them at such work as they may be able to do, and to bind them out to such tradesmen or employers as may offer to receive them, until the expiration of their commitment, under such regulations and conditions as the managers may agree upon.

SECTION 7. Every person in the custody of the said board of managers, not disqualified by sickness or casualty, shall be employed by the superintendent in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prison, almshouse, or other public institution of the state or city, or for other persons, and at such other labor as shall, upon trial, be found to be profitable to the institution, and suitable to its proper discipline and to the health and capacities of the inmates; and the superintendent may detail such numbers of the inmates as he may regard proper to do the work, outside of grounds of the institution, for any of the departments or institutions of the city, or for such other persons as may be approved by the board of managers.

Certain employments of children forbidden.

(Page 885.)

SECTION 2. Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away or otherwise dispose of such child, and any person who shall take, receive or employ such child for the vocation or occupation of rope or wire walking, or as an acrobat, gymnast, contortionist or rider, and any person who, having the care, custody or control of any minor child whatsoever, shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child, for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, magistrate or court of records, shall be fined not less than fifty dollars nor more than one hundred dollars for each offence.

SECTION 3. Any person having the care, custody or control, lawful or unlawful, for [of] any minor child under the age of eighteen years, who shall use such minor or apprentice, give away let out, hire or otherwise dispose of such minor, to any person, for the purpose of singing, playing on musical instruments, begging, or for any mendicant business whatsoever, in the streets, roads or other highways of this commonwealth, and whosoever shall take, receive, hire, employ, use or have in custody, any such minor, for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging, upon the streets, roads or other highways of the commonwealth, or for any mendicant business whatever, shall be guilty of a misdemeanor, and upon conviction thereof in the manner provided in the first section of this act, shall be fined not less than fifty dollars nor more than one hundred dollars.

Employment of children in underground mines.

(Page 886.)

SECTION 5. Any person who shall take, receive, hire or employ any child under twelve years of age, in any underground work or mine, or like place whatsoever, shall be guilty of a misdemeanor, and upon conviction thereof in the manner provided in the first section of this act, shall be fined not less than ten dollars nor more than fifty dollars.

Hours of labor.

(Page 1009.)

SECTION 1. Eight hours of labor, between the rising and setting of the sun, shall be deemed and held to be a legal day's work, in all cases of labor and service by the day, where there is no contract or agreement to the contrary.

SECTION 2. This act shall not apply to or in any way affect farm or agricultural labor or service by the year, month or week; nor shall any person be prevented, by anything herein contained, from working as many hours overtime or extra work, as he or she may see fit; the compensation to be agreed upon between the employer and the employé.

Wages preferred—In assignments, administration, etc.

(Page 1009.)

SECTION 3. All moneys that may be due from any person or persons to any and every laborer, for work done in and about the cutting, peeling skidding, hauling and driving of saw-logs, for a period not exceeding six months prior to the death or assignment for the benefit of creditors of the employer or employers, or to a sale of said saw-logs upon execution process against said employer or employers, shall be preferred and first paid out of the proceeds of any executor's, administrator's, assignee's, sheriff's or other officer's sale of said saw-logs, as the property of the employer or employers: *Provided*, That not more than two hundred dollars to any one laborer shall be preferred under this act.

SECTION 4. It shall be the duty of every laborer claiming a preference under this act, by himself, his agent or attorney, to give notice in writing of the amount of his claim, before the sale, to the executors, administrators, assignee, sheriff or other officer whose duty it shall be to sell said saw-logs, otherwise his claim shall not be preferred under this act.

SECTION 5. When there shall be any dispute concerning the right of any laborer to be preferred as aforesaid, or as to the amount he shall be entitled to receive, the court having jurisdiction of the accounts of the officer making the sale, or of the process under which the sale is made, shall have power, after reasonable notice given, either personally or by advertisement, to hear and determine the same according to law and equity.

SECTION 6. When work as aforesaid shall have been done for a contractor or contractors and not for the owner or owners of saw-logs, it shall be lawful for the owner or owners to make payment of any moneys due to any laborer or laborers for such work, directly to such laborer or laborers; and any payment or payments so made, shall be a good charge against the contractor or contractors in favor of the owner or owners, in the settlement of their accounts.

Payment of wages.

(Page 1010.)

SECTION 7. All persons, firms, companies, corporations or associations in this commonwealth, engaged in mining coal, ore or other mineral, or mining and manufacturing them, or either of them, or manufacturing iron or steel, or both, or any other kind of manufacturing, shall pay their employés as provided in this act.

SECTION 8. All persons, firms, companies, corporations or associations, engaged in the business aforesaid, shall settle with their employés at least once in each month, and pay them the amounts due them for their work or services in lawful money of the United States or by the cash order as described and required in [the following] section * * * *Provided*, That nothing herein contained shall affect the right of an employé to assign the whole or any part of his claim against his employer.

SECTION 9. It shall not be lawful for any person, firm, company, corporation or association, their clerk, agent, officer or servant, in this state, to issue for payment of labor, any order or other paper whatsoever, unless the same purports to be redeemable for its face value in lawful money of the United States, bearing interest at legal rate, made payable to employé or bearer, and redeemable within a period of thirty days, by the person, firm, company, corporation or association giving, making or issuing the same; and any person, firm, company, corporation or association engaged in the business aforesaid, their clerk, agent, officer or servant, who shall issue for payment of labor any paper or order, other than the one herein specified, in violation of this section, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one hundred dollars, in the discretion of the court, which shall go to the common school fund of the district wherein the crime shall have been committed.

SECTION 11. If any person, firm, company, corporation or association shall refuse, for the space of twenty days, to settle and pay any of their said employés at the intervals of time as provided in * * * this act, or shall neglect or refuse to redeem any of [the] cash orders herein provided for, within the time specified, if presented and suit should be brought for the amount overdue and unpaid, judgment for the amount of said claim proven to be due and unpaid, with a penalty of one per centum of such amount added thereto for each and every month's delay, shall be rendered in favor of the plaintiff in such action: *Provided further*, That the cash order, herein provided for, given for the payment of labor, if the laborer continues to hold the same, in case of the insolvency of the company or person or firm or corporation giving the same, such laborer shall not lose his lien and preference under existing law.

Profits of employers, on sales to employés, limited.

(Page 1010.)

SECTION 10. It shall be unlawful for any person, firm, company, corporation or association engaged in mining or manufacturing, either or both, as aforesaid, and who shall likewise be either engaged, or interested, directly or indirectly, in merchandising, as owner or otherwise, in any money, per cent., profit or com-

mission arising from the sale of any such merchandise, their clerks, servants, officers or agents, to knowingly and wilfully sell or cause to be sold to any employé, any goods, merchandise or supplies whatever, for a greater per cent. of profit than merchandise and supplies of like character, kind, quality and quantity are sold to other customers buying for cash and not employed by them; and shall any person or member of any firm, company, corporation or association, his or their clerk, agent or servant, violate this section of this act, then and in that case, the debt for goods so sold shall not be collectible against the employé so purchasing.

Corporations—Liability of stockholders for debts due employés.

(Page 1144.)

SECTION 11. The stockholders of any and all corporations, under this act [manufacturing], shall be personally liable for all sums of money due to laborers, clerks and operatives, for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment; and when judgment is obtained against any corporation for wages or labor due to an amount not exceeding two hundred dollars, said corporation shall not be entitled to stay of execution.

Earnings of married women.

(Page 1156.)

SECTION 42. The separate earnings of any married woman of the state of Pennsylvania, whether said earnings shall be as wages for labor, * * * or otherwise, shall accrue to and inure to the separate benefit and use of said married woman, and be under the control of such married woman, independently of her husband, and so as not to be subject to any legal claim of such husband, or to the claims of any creditor or creditors of such husband, the same as if such married woman were a *feme sole* * * * .

Associations of mechanics, etc.

(Page 1172.)

SECTION 1. It shall be lawful for any and all classes of mechanics, journeymen, tradesmen and laborers to form societies and associations for their mutual aid, benefit and protection, and peaceably to meet, discuss and establish all necessary by-laws, rules and regulations to carry out the same: * * * *Provided*, The provisions of this act shall not apply to the counties of Clearfield and Centre.

Strikes not conspiracies.

(Page 1172.)

SECTION 2. It shall be lawful for any laborer or laborers, workingman or workingmen, journeyman or journeymen, acting either as individuals or as the member of any club, society or association, to refuse to work or labor for any person or persons, whenever, in his, her or their opinion, the wages paid are insufficient, or the treatment of such laborer or laborers, workingman or workingmen, journeyman or journeymen, by his, her or their employer is brutal or offensive, or the continued labor by such laborer or laborers, workingman or workingmen, journeyman or journeymen, would be contrary to the rules, regulations or by-laws of any club, society or organization to which he, she or they might belong, without subjecting any person or persons so refusing to work or labor, to prosecution or indictment for conspiracy, under the criminal laws of this commonwealth: * * * *Provided*, That nothing herein contained shall prevent the prosecution and punishment, under existing law, of any person or persons who shall, in any way, hinder persons who desire to labor for their employers from so doing, or other persons from being employed as laborers.

SECTION 3. The * * * proviso in * * * section [2 above] * * * shall be so construed that the use of lawful or peaceful means, having for their object a lawful purpose, shall not be regarded as "in any way hindering" persons who desire to labor; and that the use of force, threat or menace of harm to persons or property, shall alone be regarded as in any way hindering persons who desire to labor for their employers from so doing, or other persons from being employed as laborers.

Protection of rights of miners.

(Page 1175.)

SECTION 1. Any miner employed by an individual, firm or corporation for the purpose of mining coal, shall be entitled to receive from his employer, and failing to receive, then to collect, by due process of law, at such rates as may have been agreed upon between the employer and the employed, full and exact wages accruing to him for the mining of all sizes of merchantable coal so mined by him, whether the same shall exist in the form of nut or lump coal; and in the adjudication of such wages, seventy-six pounds shall be deemed one bushel, and two thousand pounds net, shall be deemed one ton of coal: *Provided*, That nothing contained in this act shall be construed to prevent operators and miners contracting for any method of measuring and screening the coal mined by such miners, as they may contract for.

SECTION 2. At every bituminous coal mine in this commonwealth, where coal is mined by measurement, all cars, filled by miners or their laborers, shall be uniform in capacity at each mine; no unbranded car or cars shall enter the mine for a longer period than three months, without being branded by the mine inspector of the district, wherein the mine is situated; and any owner or owners, or their agents, violating the provisions of this section, shall be subject to a fine of not less than one dollar per car, for each and every day, as long as the car is not in conformity with this act; and the mine inspector of the district where the mine is located, on receiving notice from the check measurer or any five miners working in the mine, that a car or cars are not properly branded, or not uniform in capacity, according to law, are used in the mine where he or they are employed, then, inside of three days from the date of receiving said notice, it shall be his duty to enforce the provisions of this section, under penalty of ten dollars for each and every day he permits such car or cars to enter the mine: *Provided*, That nothing contained in this section shall be construed or applied to those mines who [that] do not use more than ten cars.

SECTION 3. At every bituminous coal mine in this commonwealth, where coal is mined by weight or measure, the miners, or a majority of those present at a meeting called for that purpose, shall have the right to employ a competent person as check-weighman, or check-measurer, as the case may require, who shall be permitted at all times to be present at the weighing or measurement of coal, also have power to weigh or measure the same, and during the regular working hours, to have the privilege to balance and examine the scales or measure the cars: *Provided*, That all such balancing and examination of scales shall only be done in such way, and in such time, as in no way to interfere with the regular working of the mines. And he shall not be considered a trespasser during working hours, while attending to the interests of his employers. And in no manner shall he be interfered with or intimidated by any person, agent, owner or miner. And any person violating these provisions shall be held and deemed guilty of a misdemeanor, and upon conviction thereof, he shall be punished by a fine of not less than twenty dollars, and not exceeding one hundred dollars, or imprisonment at the discretion of the court. It shall be a further duty of check-weighman or check-measurer, to credit each miner with all merchantable coal mined by him, on a proper sheet or book to be kept by him for that purpose. When differences arise between the check-weighman or check-measurer and the agent or owners of the mine, as to the unformity, capacity or correctness of scales or cars used, the same shall be referred to the mine inspector of the district where the mine is located, whose duty it shall be to regulate the same at once; and in the event of said scales or cars proving to be correct, then the party or parties applying for the testing thereof to bear all costs and expenses thereof; but if not correct, then the owner or owners of said mine to pay the costs and charges of making said examination: *Provided further*, That should any weighman or weighmen, agent or check-measurer, whether employed by operators or miners, knowingly or wilfully adopt or take more or less pounds for a bushel or ton than as provided for in * * * this act, or wilfully neglect the balancing or examining of the scales or cars, or knowingly and wilfully weigh coal with an incorrect scale, he shall be guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned in the county jail for three months.

SECTION 4. All individuals, firms and corporations engaged in mining coal in the commonwealth, who, instead of dumping all the cars that come from the mine into a breaker or shutes, shall switch out one or more of the cars for the purpose of examining them, and determining the actual amount of slate or refuse, by removing said slate or refuse from the car, and who shall, after so doing, wil-

fully neglect to allow the miner in full for all clean coal left after the refuse, dirt or slate is taken out, at the same rate paid at the mine for clean coal, less the actual expense of removing said slate or refuse, [he] shall be deemed guilty of a misdemeanor.

SECTION 5. Any individual, firm or corporation as aforesaid, violating the provisions of this act, upon suit being brought and conviction had, shall be sentenced by the court to pay a fine of not more than one hundred dollars, and to make restitution by paying to the miner the amount to which, under this act, he would be entitled for the coal mined by him, and for which he was not paid.

Mining companies—Liability of stockholders for debts due employés.

(Page 1196.)

SECTION 23. The stockholders in any [mining] company * * * shall be jointly and severally liable, in their individual capacities, for all debts contracted by them for work and labor done * * * for the opening, improving and preparing their said lands for mining purposes aforesaid * * *.

SECTION 24. * * * *Provided*, That the liability of the stockholders * * * shall extend to include all debts contracted by them for work and labor done * * * for opening, improving and preparing their lands, for mining purposes, and all debts contracted by the said corporation in their business of mining, selling and conveying to market the minerals on or in their said lands * * *.

SECTION 26. The stockholders of all such companies shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by their respective companies, to the amount remaining unpaid on each share of stock held by them respectively; and shall be liable, in like manner, for all debts due to mechanics, workmen and laborers employed by their company: *Provided, however*, That no stockholder, director or officer shall be held individually liable for any such debt as aforesaid, unless the same shall have been sued for within one year after the time at which it was contracted.

Convict labor.

(Page 1314.)

SECTION 13. At the expiration of existing contracts, the board of inspectors, wardens or other officers of state prisons and reformatory institutions are directed to employ the convicts under their control for and in behalf of the state.

SECTION 14. The chief officers of the various reformatory insuitutions, deriving their support wholly or in part from the state, are hereby directed at the expiration of existing contracts, to employ the inmates of said institutions for and in behalf of such institutions; and no labor shall be hired out by contract.

SECTION 15. The officers of the various county prisons, workhouses and reformatory institutions within this commonwealth, now letting the labor of convicts by contract, shall, at the expiration of existing contracts, employ the same for and in behalf of their respective counties.

Marking of convict-made goods.

(Page 1314.)

SECTION 17. All goods, wares, merchandise or other article or thing made by convict labor, in any penitentiary, reformatory prison, school or other establishment in which convict labor is employed, * * * all and every such goods, wares, merchandise, article or thing, immediately upon the completion of the same, shall be branded as hereinafter provided, and shall not be taken into or exposed in any place for sale, at wholesale or retail, without such brand.

SECTION 18. The brand herein required shall be in plain English lettering, and shall contain at the head or top of said brand, the words "convict-made," followed by the year and the name of the penitentiary, reformatory prison, school or other establishment in which made. * * * *Provided*, That goods, wares and merchandise shipped to points outside of the state shall not be so branded.

SECTION 20. It shall not be lawful for any person dealing in any such convict-made goods, wares, merchandise or other article, at wholesale or retail, to have in his possession, or offer for sale any such convict-made goods, wares, merchandise, or other article manufactured by convict labor in Pennsylvania, or any other

state, without the brand provided by this act. And in all cases where the brand aforesaid is upon the box, receptacle or other covering in which such goods, wares, merchandise or other article is contained, it shall not be lawful for any such person retailing to remove the same from such box, receptacle or other covering, except as he shall retail the same to a customer for his individual use and at all times, the box, receptacle or covering containing said brand, shall be open to the inspection or view of such customer. And any person knowingly and wilfully offending against this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment not exceeding six months, or both or either, at the discretion of the court.

Bureau of industrial statistics.

(Page 1528.)

SECTION 4. * * * [The] department [of the secretary of internal affairs] shall embrace a bureau of industrial statistics, the business of which shall be to impartially inquire into the relations of capital and labor, in their bearings upon the social, educational and industrial welfare of all classes of working people, and to offer practical suggestions for the improvement of the same.

SECTION 5. The said bureau shall further collect, compile and publish such statistics in regard to the wages of labor and the social condition of the laboring classes as may enable the people of the state to judge how far legislation can be invoked to correct existing evils; and in order to facilitate the duties herein imposed, all corporations, firms or individuals engaged in mining, manufacturing or other business, and all persons working for wages, within this commonwealth, are hereby required to furnish such statistical information as the chief of said bureau may demand. The chief or duly authorized deputy shall have power to issue subpœnas, administer oaths and take testimony in all matters relating to the duties herein required of said bureau. Any corporation, firm or individual doing business within this commonwealth, who shall neglect or refuse, for thirty days, to answer questions by circular or upon personal application, or who shall refuse to obey the subpœna and give testimony * * * shall be liable to a penalty of one hundred dollars. * * * This bureau shall also be required to collect, compile and publish annually the productive statistics of agriculture, mining, manufacturing, commercial and other business interests of the state * * *.

Sunday labor.

(Page 1572.)

SECTION 3. If any person shall do or perform any worldly employment or business whatsoever on the Lord's day, commonly called Sunday (works of necessity and charity only excepted), * * * every such person so offending shall, for every such offense, forfeit and pay four dollars, to be levied by distress: or in case he or she shall refuse or neglect to pay the said sum, or goods and chattels cannot be found, whereof to levy the same by distress, he or she shall suffer six days' imprisonment in the house of correction of the proper county; *Provided always*, That nothing herein contained shall be construed to prohibit the dressing of victuals in private families, bakehouse, lodging-houses, inns and other houses of entertainment for the use of sojourners, travelers or strangers, or to hinder watermen from landing their passengers, or ferrymen from carrying over the water travelers, or persons removing with their families on the Lord's day, commonly called Sunday, nor to the delivery of milk or the necessaries of life, before nine of the clock in the forenoon, nor after five of the clock in the afternoon of the same day.

SECTION 4. *Provided always*, That every such prosecution shall be commenced within seventy-two hours after the offense shall be committed.

Trading companies—Liability of stockholders for debts due employés.

(Page 1646.)

SECTION 7. The stockholders of any and all corporations under this act [those carrying on any mining, quarrying, mechanical or manufacturing business], shall be personally liable for all sums of money due to laborers and operatives, for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment.

Wages preferred—In assignments, administration, etc.

(Page 1698.)

SECTION 1, (as amended by chapter 228, acts of 1887). All moneys that may be due, or hereafter become due, for labor and services rendered by any miner, mechanic, laborer or clerk, servant girls at hotels, boarding houses, restaurants, or in private families or other servants and helpers in and about said houses of entertainment, and private houses, porters, hostlers, all persons employed in and about livery stables, laundrymen and washerwomen, seamsters and seamstresses employed by merchant tailors, milliners, dressmakers, clothiers, shirt-manufacturers, and clerks employed in stores, hands, laborers, mechanics, printers, apprentices, hired for wages or salary, from any person or persons or chartered company employing clerks, miners, mechanics or laborers, either as owners, lessees, contractors or under-owners of any works, mines, manufactory or other business, where clerks, miners or mechanics are employed, whether at so much *per diem* or otherwise, for any period not exceeding six months immediately preceding the sale and transfer of such works, mines, manufactories or business, or other property connected therewith, in carrying on said business, by execution or otherwise, preceding the death or insolvency of such employer or employers, shall be a lien upon said mine, manufactory, business or other property, in and about or used in carrying on said business, or in connection therewith, to the extent of the interest of said owners or contractors, as the case may be, in said property, and shall be preferred and first paid out of the proceeds of the sale of such mine, manufactory, business or other property, as aforesaid: *Provided*, That the claim of such miner, mechanic, laborer and clerk, thus preferred, shall not exceed two hundred dollars: * * * *And provided further*, That no such claim shall be a lien upon any real estate unless the same be filed in the prothonotary's office of the county in which such real estate is situated, within three months after the same becomes due and owing, in the same manner as mechanics' liens are now filed; and that it shall be lawful to issue a *scire facias* on any lien, which has been * * * filed, as aforesaid, and to proceed thereon to judgment, execution and sale, in the same manner as a *scire facias* is now issued on a mechanic's lien and proceeded on to judgment and execution and sale.

SECTION 2. In all cases of executions, landlords' warrants, attachments and writs of a similar nature, hereafter to be issued against any person or persons, or chartered company, engaged as before mentioned, it shall be lawful for such miners, laborers, mechanics or clerks, to give notice in writing of their claim or claims, and the amount thereof, to the officers executing either of such writs, at any time before the actual sale of the property levied on; and such officers shall pay to such miners, laborers, mechanics and clerks, out of the proceeds of sale, the amount each is justly and legally entitled to receive, not exceeding two hundred dollars.

SECTION 3. In all cases of the death, insolvency or assignment of any person or persons, or chartered company, engaged in operations as hereinbefore mentioned, or of executions issued against them, the lien of preference mentioned in the first section of this act, with the like limitations and powers, shall extend to every property of said person or chartered company.

SECTION 4. No mortgage, or other instrument by which a lien is hereafter credited [created], shall operate to impair or postpone the lien and preference given and secured to the wages and moneys mentioned in the first section [above]: * * * *Provided*, That no lien of mortgage or judgment entered before such labor is performed, shall be affected or impaired thereby.

SECTION 5. The proviso to the fourth section [above] * * * shall not hereafter be so construed as to, in any manner, apply to coal-lease mortgage or mortgages, or to make the same a lien preferred to the lien of the wages of labor mentioned in [above sections] * * *, but that such claim of wages shall be a lien preferred thereto.

SECTION 6. It is the true intent and meaning of the provisions of [sections 1, 2, 3 and 4 above] * * * that the several classes of laborers in said [sections] mentioned shall have a preference over landlords, in all claims for rent of any mines, manufactories or other real estate, held under lease, where the lessee or lessees are the parties employing the miners, mechanics, laborers or clerks: *Provided*, That any person or persons claiming a preference as above provided, shall give notice of the nature and amount of his claim to the landlord or his bailiff, before the actual sale of the property levied upon.

SECTION 7. In all cases * * * for the recovery of the wages of manual labor only, it shall be the duty of the prothonotary preparing the list of civil causes,

to place all claims for the wages of labor first on the list, and the court shall proceed to try all such cases as they occur on the list: *Provided*, That a statement of the plaintiff's claim be filed in such cases, showing that the claims respectively are for manual labor alone.

SECTION 8. No stay of execution shall be allowed on any judgment for one hundred dollars and less, when the same has been recovered for wages of manual labor.

SECTION 9, (as amended by chapter 2, acts of 1887). No exemption of property from attachment, levy, or sale upon execution, shall be allowed upon judgment for one hundred dollars or less, obtained for wages for manual labor.

SECTION 11. In all cases in which judgment shall have been rendered by any justice of the peace or alderman in this commonwealth for wages of manual labor, before the defendant shall be entitled to an appeal from the judgment of the justice or alderman, he, or his agent or attorney, shall make oath or affirmation that the appeal is not intended for the purpose of delay, but that he believes that injustice has been done him, which affidavit shall be attached to and sent up with the transcript of appeal. And the said defendant shall be required to give good and sufficient bail or the payment of the debt and costs * * *.

SECTION 12. No voluntary assignment for the benefit of creditors shall operate so as to hinder, delay or prevent, for a longer period than thirty days from the time of such assignment, the collection or enforcement of any * * * claims for the wages of labor * * * and said claimants may, after the expiration of thirty days from the date of such assignment, enforce the collection of their claims, in the same manner, and by means of the same remedies, that they might have done had no such assignment been made.

ACTS OF 1885.

ACT NO. 165.—*Employment of females in coal mines, etc.*

SECTION 1. * * * It shall be unlawful for any person, firm, company, corporation or association engaged in mining coal, mining and manufacturing or manufacturing it, in this state, their clerks, agents, superintendents, officers or servants, to employ, cause or permit to be employed, any female labor or laborers in and about the coal mine, or any of the manufactories of coal, in this state; and any person so offending, upon conviction, shall be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars, or be imprisoned in the county jail, for a period not exceeding six months, either, or both in the discretion of the court: * * * *Provided, however*, That the provisions of this bill shall not affect the employment of a female in an office, or in the performance of clerical work, at such mine or colliery.

ACT NO. 169.—*Coal mine regulations and inspection.*

SECTION 1. The owner, operator or superintendent of every bituminous coal mine, shall make or cause to be made an accurate map or plan of such coal mine, on a scale not exceeding one hundred feet to the inch, which map or plan shall exhibit all the openings or excavations, the shaft, tunnels, slopes, planes, gangways entries, cross-headings, rooms, *et cetera*, and shall show the direction of the air currents therein, and shall accurately delineate the boundary lines between said coal mine and adjoining mines operated by other parties, and show the relation and proximity of the workings thereto. The maps shall also show the changes of level of the lowest entry in use for drainage connecting with each independent opening. The said map or plan, or a true copy thereof, together with a record of all the surveys of said boundary lines and openings and excavations aforesaid, shall be kept at such mine by the said owner, operator or superintendent for the use of the mine inspector, and for the inspection of any miner working in said mine, whenever said miner shall have cause to fear that the working place, where he is working, is becoming dangerous by reason of its proximity to other workings, which may be supposed to contain water or dangerous gas. The said owner, operator or superintendent shall, as often as once in every six months, accurately place or cause to be placed on the map or plan of said coal mine, a plan of the excavations made of all the working places, or other parts of such coal mine, during the preceding six months; and, whenever the workings or excavations of said coal mine, or any part of the same, have been driven to within ten feet of the boundary line, or when said coal mine, or any part of the same, is abandoned, the owner, operator or superintendent

thereof shall furnish, the mine inspector within three months after, the proximity to the boundary line as aforesaid, or after abandonment of the said mine, or any part of the same, with a correct copy, on tracing muslin, of the map or plan of said mine, which shall accurately show all excavations and workings of such mine to date, exhibiting clearly the part or parts abandoned, and the part or parts in proximity to the boundary line aforesaid. The maps or plans of the several coal mines in each district, which are furnished to mine inspector as last aforesaid, shall be the property of the commonwealth, and shall remain in the care of the inspector of the district in which the said mines are situated, to be transferred by him to his successor in office, and in no case shall any copy of the same be made without the consent of the owner, operator or his agent. If the mine inspector shall find, or have good reason to believe, that any map or plan of any coal mine, made or furnished in pursuance of the provisions of this act, is materially inaccurate or imperfect, he is hereby authorized to cause a correct map or plan of said coal mine to be made, at the expense of the owner or operator thereof, the cost of which shall be recoverable from said owner or operator as other debts are recoverable by law: *Provided, however*, That if the map or plan, which is claimed to be inaccurate, shall prove to have been correct, then the commonwealth shall be held liable for the expenses incurred in making said test survey, and the same shall be paid by the state treasurer, upon warrants of the auditor general, who shall require proper vouchers and satisfactory proof of the same.

SECTION 2. It shall not be lawful for the owner, operator, contractor, lessee or agent of any bituminous coal mine, or for any firm, company, corporation or association, their clerks, servants, agents or employés, to employ any person at work within said coal mine, or permit any person to be in said coal mine for the purpose of working therein, unless they are in communication with at least two openings, if the mine be worked by shaft or slope, which two shafts or slopes shall be separated by natural strata at all points by a distance of not less than one hundred and fifty feet, except in mines already opened, such distance may be less, if in the judgment of the mine inspector one hundred and fifty feet is impracticable; and if the mine be worked by drift, two openings, exclusive of the air shaft, and not less than twenty-four feet apart, shall be required, except in drift mines heretofore opened, where the mine inspector of the district shall deem it impracticable: *Provided, however*, That an aggregate number, not exceeding twenty persons, may be employed in the mine at any one time until the second opening shall be reached and made available, which said second opening, the mine inspector shall cause to be made without necessary delay; and, in case of furnace ventilation being used before the second opening is reached, the furnace shall not be placed within forty feet of the foot of the shaft, slope or drift, and shall be well secured, from danger from fire, by brick or stone walls of sufficient thickness, while being driven for making and perfecting the second opening.

SECTION 3. When the second opening or outlet is made, which does not exceed seventy-five feet in vertical depth from the surface to the seam or stratum of coal that is being mined, it shall be set apart exclusively for the purpose of ingress or egress to or from the mine by any person or persons employed therein, and it shall not be clogged or obstructed with ice, machinery, pumps, or currents of heated air or steam; and if the opening is a shaft, it shall be fitted with safe and convenient stairs, not less than two feet wide and to not exceed an angle of sixty degrees descent, and landings of not less than eighteen inches wide and four feet long, at easy and convenient distances, and all water coming from the surface or out of the strata in the shaft shall be conducted by rings, casing or otherwise, and be prevented from so falling down the shaft as to wet persons who are ascending or descending the stairway of the shaft; if the second opening is a slope for a traveling way, it shall not have a greater angle of descent than twenty degrees and may be of any depth; but when the seam or stratum of coal, at main outlet or escapement shaft in connection with any mine, exceeds seventy-five feet in vertical depth from the surface, the miners or other employés in the mine shall be lowered into or raised from the said mine by machinery, and when the employés are lowered into or raised from the said mine at the main outlet, the escapement shaft shall be fitted with safe and available machinery, or safe and convenient stairs, by which persons employed in the mine may readily escape in case of accident. The hoisting machinery and stairs used for lowering or raising the employés into or out of the mine shall be kept in a safe condition, and inspected once each twenty-four hours by a competent person employed in whole or in part for that purpose. And such machinery and the method of its inspection shall be approved by the mining inspector of the district where the

mine is situated: *Provided*, That when miners are not at work in the mine, the said second shaft or slope may be used for the purpose of lowering material: *Provided further*, That the requirements of this section shall not be applicable to stairways now in use, when, in the judgment of the inspector, they are sufficient. The owner, operator, lessee or agent shall provide and maintain a metal tube from the top to the bottom of the shaft, suitably adapted to the free passage of sound, through which conversation may be held between persons at the bottom and at the top of the shaft, also the ordinary means of signaling to and from the top and bottom of the shaft, and an approved safety catch, and sufficient cover overhead on every carriage used for lowering and hoisting persons; and the said owner, operator, lessee or superintendent shall see that sufficient flanges are attached to the sides of the drum of every machine that is used for lowering and hoisting persons in and out of the mine, and also that adequate brakes are attached to the drum: the main coupling chain, attached to the socket of the wire rope, shall be made of the best quality of iron, and shall be tested by weights or otherwise to the satisfaction of the inspector of the district: and bridle chains shall be attached to the main socket from the cross pieces of the carriage, so that no single chain shall be used for lowering or raising persons into or out of the mine; and no greater number of persons shall be lowered or hoisted at any one time than may be permitted by the inspector of the district: and notice of the number so allowed to be lowered or hoisted at any one time shall be kept posted up by the owner, operator or superintendent in a conspicuous place at the opening of the shaft.

SECTION 4. The owner or agent of every bituminous coal mine, whether shaft, or slope, or drift, shall provide and hereafter maintain for every such mine ample means of ventilation, affording not less than one hundred cubic feet per minute for each and every person employed in said mine, and as much more as the circumstances may require, which shall be circulated around the main headings and cross headings and working places to an extent that will dilute, carry off and render harmless the noxious or dangerous gases generated therein: and all mines generating fire-damp shall be kept free of standing gas in the worked-out or abandoned parts of the same as far as practicable, and the entrance thereto shall be properly closed, and cautionary notice shall be posted to warn persons of danger: and every working place, and all other places, where gas is known to exist or supposed to exist, shall be carefully examined by the fire boss, immediately before each shift, with a safety-lamp, and in making said examination, it shall be the duty of the fire boss at each examination to leave at the face of every place, so examined, evidence of his presence; and it shall not be lawful for any miner to enter any mine or part of a mine generating fire-damp, until it has been examined by the fire boss as aforesaid and reported by him to be safe.

SECTION 5. In order to better secure the proper ventilation of every coal mine, and promote the health and safety of the persons employed therein, the owner or agent shall employ a competent and practical inside overseer, to be called mining boss, who shall be a citizen and an experienced coal miner, and shall keep a careful watch over the ventilating apparatus and the air-ways, traveling-ways, pumps and pump timbers and drainage; and shall see that, as the miners advance their excavations, all loose coal, slate and rock overhead are carefully secured against falling therein, or on the traveling ways: and that sufficient props, caps and timbers are furnished, of suitable size and cut square at both ends and as near as practicable to a proper length, for the places where they are to be used; and such props, caps or timbers shall be delivered and placed in the working places of the miners, and every workman in want of props or timber and cap pieces shall notify the mining boss or his assistant of the fact, at least one day in advance, giving the length and number of props or timbers and cap pieces required, but in cases of emergency the timbers may be ordered immediately upon the discovery of any danger (the place and manner of leaving the orders for the timber shall be designated and specified in the rules of the mine) and said working places shall be vacated until supplied with the timber needed; and shall see that all water be drained or hauled out of all working places before the miner enters, and as far as practicable kept dry while the miner is at work. And it shall be the duty of the mining boss to see that proper cut-throughs are made in the room pillars of the miners' places, at such distances apart as in the judgment of the inspector may be deemed requisite, not more than thirty-five nor less than sixteen yards each, for the purpose of ventilation. And in all traveling-ways or road-holes for shelter shall be made at least every thirty yards and be kept whitewashed, a space two feet six inches between the wagon and the rib shall be deemed sufficient for shelter. And the mining boss shall measure the air current, at least once a week, at the inlet and outlet and at or near

the face of the headings, he shall keep a record of such measurements, which shall be placed by him in a book kept for that purpose, the said book to be open for the examining of the inspector of the district; he shall also, on or about the fifteenth day of each month, mail to the inspector of his district a true copy of the air measurements given, stating also the number of persons employed in or about said mine, the number of mules and horses used, and the number days worked in each month. Blanks for such purpose shall be furnished him by the inspector of the district.

It shall be the further duty of the mining boss to immediately notify the agent or owner of the mine, in writing, of his inability to comply with the provisions of this section. It shall then become the duty of said superintendent, operator, lessee or owner, at once to attend to the matter complained of by the mining boss, to comply with the provisions hereof. The safety lamps used for examining mines, or which may be used in working therein, shall be furnished by and be the property of the owner of said mines, and shall be in charge of the agent of such mine; and in all mines, the doors, used in assisting or directing the ventilation of the mine, shall be so hung and adjusted that they will close themselves, or be supplied with springs or pulleys so that they cannot be left standing open; and bore holes shall be kept not less than twelve feet in advance of the face, and when necessary, on the sides of working places, which are being driven towards and in dangerous proximity to an abandoned mine, or part of a mine suspected of containing inflammable gases, or which is inundated with water. The mining boss, his assistant, or assistants, shall visit and examine every working place in the mine, at least once every alternate day, while the miners of such place are or should be at work, and shall direct that each and every working place be properly secured by props or timber, so that safety in all respects be assured, and that no person shall be directed to work in an unsafe place unless it be for the purpose of making it safe. All owners or operators of bituminous coal mines shall keep posted, in a conspicuous place about their mines, printed rules, submitted to and approved by the district mining inspector, defining the duties of all persons employed in or about said mines or collieries, which said notice shall be printed in the language or languages used by any ten miners working therein.

SECTION 6. Any miners, workmen or other person, who shall intentionally injure any shaft, lamp, instrument, air course or brattice, or obstruct or throw open air-ways, or carry lighted pipes or matches into places that are worked by safety lamps, or handle or disturb any part of the machinery, or open a door and not close it again, or enter any place of the mine against caution, or disobey any order given in carrying out the provisons of this act, or do any other act whereby the lives or the health of persons, or the security of the mines or the machinery, is endangered, shall be deemed guilty of a misdemeanor, and may be punished in a manner provided in the twenty-first section of this act; all machinery about mines shall be properly fenced off, and there shall be cut, in the side of every hoisting shaft at the bottom thereof, a traveling way sufficiently high and wide to enable persons to pass the shaft, in going from one side of the mine to the other, without passing over or under the cage or other hoisting apparatus.

SECTION 8. * * * The qualifications of candidates for said office of inspectors of mines, to be inquired into and certified by said examiners, shall be as follows, namely: They shall be citizens of Pennsylvania, of temperate habits, of good repute as men of personal integrity, shall have attained the age of thirty years, and shall have had at least five years' practical experience in the workings of the coal mines of Pennsylvania, and, upon the examination, they shall give evidence of such theoretical as well as practical knowledge, and general intelligence regarding mines and mining and the working thereof, and all noxious gases, as will satisfy the examiners of their capability and fitness for the duties imposed upon inspectors of mines, by the provisions of this act. The board of examiners shall also at their meeting, or when at any time called by the governor together for an extra meeting, divide the bituminous coal counties of the state into eight inspection districts, as nearly equal to the labor performed as is possible, and, at any subsequent calling of the board of examiners, this division may be revised as experience may prove to be advisable * * * . Upon the filing of the certificates of the examining board in the office of the secretary of the commonwealth, the governor shall, from the names so certified, commission one person to be inspector of mines for each district, * * * whose commission shall be for a full term of four years * * * . All mine inspectors hereafter appointed shall make their residence and keep an office in the district for which they are commissioned. Each inspector is hereby authorized to procure such

instruments and chemical tests, stationery, and to incur such expense of communication from time to time, as may be necessary to the proper discharge of his duties under this act, at the cost of the state * * *. All instruments, plans, books, memoranda, notes, *et cetera*, pertaining to the office, shall be the property of the state, and shall be delivered to their successors in office. * * *

SECTION 9. * * * But no person, who shall act as a manager or agent of any coal mine, or as a mining engineer, or to be interested in operating any coal mine, shall, at the same time, act as an inspector of coal mines under this act.

SECTION 10. The inspector of bituminous coal mines shall each devote the whole of his time to the duties of his office; it shall be his office to examine the mines in his district, as often as possible, which shall not be less than once in three months, (and report how often he has visited each mine in the year), to see that all the provisions of this act are observed and strictly carried out; and he shall make record of all examinations of mines showing the condition in which he finds them, especially in reference to ventilation and drainage, the number of mines in his district, the number of persons employed in each mine, the extent to which the law is obeyed, and progress made in the improvement sought to be secured by the passage of this act, the number of accidents and deaths resulting from injuries received in or about the mines, with cause of such accident or death, which record, completed to the thirty-first day of December of each and every year, shall, on or before the first day of February following, be filed in the office of the secretary of internal affairs, to be by him recorded and included in the annual report of his department.

SECTION 11. That the inspectors may be enabled to perform the duties herein imposed upon them, they shall have the right at all times to enter any bituminous coal mine, to make examination, or obtain information; they shall notify the owners, operators, lessees, superintendent, or mining bosses, in writing and keep a copy thereof, immediately of the discovery of any violation of this act, and of the penalty imposed thereby for such violation and in case of such notice being disregarded for the space of five days, they shall institute proceedings against the owner, operator, lessee, superintendent, or mining boss, of the mine, under the provisions of section twenty-one of this act; in case however where, in the judgment of the inspector of any district, delay may jeopardize life or limb, he shall at once notify one of the inspectors of the other district, whereupon they shall at once proceed to the mine where the danger exists and examine into the matter, and if, after full investigation thereof, they shall be agreed in the opinion that there is immediate danger, they shall apply in the name of the commonwealth to the court of common pleas of the county, or in case the court shall not be in session to a judge of the said court in chambers, in which the mine may be located, for an injunction to suspend all work in and about such mine; whereupon said court or judge shall at once proceed to hear and determine speedily the same, and, if the cause appear to be sufficient after hearing the parties and their evidence as in like cases, shall issue their writ to restrain the working of said mine until all cause of danger is removed; and the cost of said proceedings, including the charges of attorney prosecuting the same, shall be borne by the owner, lessee or agent of the mine: *Provided*, That no fee exceeding the sum of twenty-five dollars shall be taxed in any one case for the attorney prosecuting such case: *Provided further*, That if said court shall find the cause not sufficient, then the case shall be dismissed, and the cost shall be borne by the county.

SECTION 12. Whenever, by reason of any explosion, or other accident, in any bituminous coal mine or the machinery connected therewith, loss of life or serious personal injury shall occur, it shall be the duty of the person having charge of such mine or colliery to give notice thereof forthwith to the inspector of the district, and if any person is killed thereby to the coroner of the county, who shall give due notice of the inquest to be held * * * *. It shall be the duty of the inspector, upon being notified as herein provided, to immediately repair to the scene of the accident and make such suggestions as may appear necessary to secure the future safety of the men; and, if the results of the explosion or accident do not require an investigation by the coroner, he shall proceed to investigate and ascertain the cause of the explosion or accident, and make a record thereof, which he shall file as provided for; and to enable him to make the investigation, he shall have power to compel the attendance of persons to testify, and to administer oaths, or affirmations * * *.

SECTION 14. The inspector shall exercise a sound discretion in the enforcement of the provisions of this act, and if the operator, owner, or miners shall not be satisfied with any decision the inspector may arrive at in the discharge of his duties under this act, which said decision shall be in writing signed by

the mine inspector, the said owner, operator, miner or miners, shall forthwith appeal from such decision to the court of quarter sessions of the county wherein the mine is located, and said court shall speedily determine the question involved in said decision and appeal, which said decision shall be binding and conclusive. The court in its discretion may appoint three practical, reputable, competent and disinterested persons, whose duty it shall be under instructions of the said court to forthwith examine such mine, and make report under oath of the facts as they exist, or may have been, together with their opinions thereon. The report of said board shall become absolute, unless exceptions thereto shall be filed within ten days after notice of the filing thereof to the owner, operator, miner or miners, or inspector; and if exceptions are filed, the court shall at once hear and determine the same, and the decision shall be final and conclusive. If the court shall finally sustain the decision of the inspector, then the appellant shall pay all costs of such proceedings, and if the court shall not sustain the decision of the inspector, then such costs shall be paid by the county, or by the appellant and county, in such proportion as the court shall determine. No appeal from any decision made by any mine inspector shall work as a supersedeas to such decision during the pendency of such appeal, but all such decisions shall be in full force until reversed, or modified by the proper court.

SECTION 15. * * * No person shall act as fire boss in any bituminous mine, unless granted a certificate of competency by any of the mine inspectors of the bituminous region of Pennsylvania, and it shall be unlawful for any owner, operator, contractor, superintendent, or agent to employ any person as fire boss who has not obtained such certificate. After January first, one thousand eight hundred and eighty-six, no owner, operator, contractor, lessee, superintendent or agent shall employ any mining boss or fire boss, who does not have the certificate of competency or service required by this section. And if any accident shall occur, in any mine in which a mining boss or fire boss shall be employed, who has no certificate of competency or service as required by this section, by which any miner shall be killed or injured, he or his heirs shall have a right of action against such operator, owner, superintendent, contractor, lessee or agent, and shall recover the full value of the damages sustained.

SECTION 16. No boy, under the age of twelve years, and no woman or girl of any age, shall be employed or permitted to be in any bituminous coal mine for the purpose of employment therein, nor shall any boy under the age of ten years, or any woman or girl of any age, be employed or permitted to be in or about the outside structure or workings of any bituminous mine or colliery, for the purpose of employment: *Provided however*, That this provision shall not effect the employment of a boy or a female of suitable age in an office, or in the performance of clerical work at such mine or colliery.

SECTION 17. For any injury to person or property occasioned by any violation of this act, or any wilful failure to comply with its provisions, a right of action against the party at fault shall accrue to the party injured for the direct damage sustained thereby; and in any case of loss of life by reason of such violation or wilful failure, a right of action against the party at fault shall accrue to the widow and lineal heirs of the person, whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

SECTION 18. It shall be the duty of owners, operators, contractors, superintendents, lessees or agents to keep at the mouth of the drift, shaft, or slope, or at such other place as shall be designated by the mine inspector, stretchers properly constructed for the purpose of carrying away any miner or employé working in or about such mine, who may in any way be injured in and about his employment.

SECTION 19. It shall be the duty of the mine inspector, on each visit to any mine, to make out a written, or partly written and partly printed, report of the condition in which he finds such mine and post the same in the office at the mine. The said report shall give the date of the visit, the number of visits during the year, the total number of mines in his district, the number of feet of air in circulation and where measured, and such other information as he shall deem necessary: and the said report shall remain posted in the office for one year, and said report may be examined by any miner or person employed in and about such mine.

SECTION 20. On or before the fifteenth day of January in each year, the owner, operator or superintendent of every mine or colliery shall send to the inspector of his district a correct report, specifying, with respect to the year ending the thirty-first of December preceding such report, the name of the owner or operator, and officers of the mine, and the quantity of coal mined; the report shall

be in such form and give such information as may be from time to time required and prescribed by the mine inspector of the district. Blank forms for such reports shall be furnished by the commonwealth.

SECTION 21. The neglect or refusal to perform the duties required to be performed by any section of this act, by the parties therein required to perform them, or the violation of any of the provisions or requirements herpof, shall be deemed a misdemeanor, and shall upon conviction be punished by fine of not less than two hundred dollars and not exceeding five hundred dollars, at the discretion of the court. And in default of payment of such fine and costs for the space of ten days, the defendant shall be sentenced to imprisonment in the county jail for a period not exceeding six months.

SECTION 22. The provisions of this act shall not apply to any mine employing less than ten persons in any one period of twenty-four hours.

ACT NO. 170.—*Coal-mine regulations and inspection.*

ARTICLE I.

SECTION 1. This act shall apply to every anthracite coal mine or colliery in the Commonwealth, provided the said mine or colliery employs more than ten (10) persons.

ARTICLE II.

SECTION 1. The counties of Sullivan, Susquehanna, Wayne, Luzerne, Lackawanna, Carbon, Schuylkill, Northumberland, Columbia, Lebanon and Dauphin, or so much of them as may be included under the provisions of this act, shall be divided into seven inspection districts * * *.

SECTION 4. * * * Upon the recommendation of the board of examiners as aforesaid, the governor shall appoint such person to fill the office of inspector of mines under this act and shall issue to him a commission for the term of five years, subject however to removal for neglect of duty or malfeasance in office, as hereinafter provided for.

SECTION 5. The person so appointed must be a citizen of Pennsylvania and shall have attained the age of thirty years. He must have a knowledge of the different systems of working coal mines, and have been practically connected with the anthracite coal mines of Pennsylvania for a period of not less than five years, and he must also have had experience in the working and ventilation of coal mines where noxious and explosive gases are evolved. * * * He shall also provide himself with the most modern instruments and appliances for carrying out the intentions of this act.

SECTION 7. Each of the * * * inspectors shall reside in the district for which he is appointed and shall give his whole time and attention to the duties of the office. He shall examine all the collieries in his district as often as his duties will permit, not less than four times a year, or oftener if the exigencies of the case or the condition of the mines require it, see that every necessary precaution is taken to secure the safety of the workmen, and that the provisions of this act are observed and obeyed, attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district, visit the scene of the accident for the purpose of making an examination into the particulars of the same whenever loss of life or serious personal injury occurs, as elsewhere herein provided for, and make an annual report of his proceedings to the secretary of internal affairs of the commonwealth at the close of every year, enumerating all the accidents in and about the collieries of his district, marking in tabular form those accidents causing death or serious personal injury, the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof, and the result of his labors generally shall be fully set forth.

SECTION 9. The mine inspector shall have the right, and it is hereby made his duty, to enter, inspect and examine any mine or colliery in his district and the workings and machinery belonging thereto, at all reasonable times, either by day or night, but not so as to impede or obstruct the working of a colliery, and shall have the power to take one or more of his fellow-inspectors into or

around any mine or colliery in the district for which he is appointed, for the purpose of consultation or examination. He shall also have the right, and it is hereby made his duty to make inquiry into the condition of such mine or colliery, workings, machinery, ventilation, drainage, method of lighting or using lights, and into all other matters and things connected with or relating to, as well as to make suggestions providing for, the health and safety of persons employed in or about the same, and especially to make inquiry whether the provisions of this act have been complied with. The owner, operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry, inspection, examination, inquiry and exit. The inspector shall make a record of the visit, noting the time and material circumstances of the inspection.

SECTION 10. No person, who shall act or practice as a land agent, or as the manager, or agent of any coal mine or colliery, or as a mining engineer, or who is pecuniarily interested in operating any coal mine or colliery in his district, shall at the same time hold the office of inspector of mines under this act.

SECTION 11. Whenever a petition, signed by fifteen or more reputable coal operators or miners or both, setting forth that any inspector of mines neglects his duty, or is incompetent, or is guilty of malfeasance in office, it shall be the duty of the court of common pleas of the proper county to issue a citation in the name of the commonwealth to the said inspector to appear, at not less than fifteen days notice, on a day fixed, before said court, and the court shall then proceed to inquire into and investigate the allegations of the petitioners; if the court finds that the said inspector is neglectful of his duties, or that he is incompetent to perform the duties of the office for any cause that existed previous to his appointment, or that has arisen since his appointment, or that he is guilty of malfeasance in office, the court shall certify the same to the governor of the commonwealth, who shall declare the office of inspector for the district vacant, and proceed in compliance with the provisions of this act to appoint a properly qualified person to fill the office. * * *

SECTION 12. The maps and plans of the mines and the records thereof, together with all the papers relating thereto, shall be kept by the inspector, properly arranged and preserved in a convenient place in the district for which each inspector has been appointed, and shall be transferred by him, with any other property of the commonwealth that may be in his possession, to his successor in office.

ARTICLE III.

SECTION 1. The owner, operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the workings or excavations of such coal mine or colliery, on a scale of one hundred feet to the inch, which map or plan shall exhibit the workings or excavation in each and every seam of coal, and the tunnels and passages connecting with such workings or excavations; it shall state, in degrees, the general inclination of the strata, with any material deflection therein, in said workings or excavations, and shall also state the tidal elevations of the bottom of each and every shaft, slope, tunnel and gangway and of any other point in the mine or on the surface, where such elevation shall be deemed necessary by the inspector. The map or plan shall show the number of the last survey station, and date of each survey, on the gangways or the most advanced workings; it shall also accurately show the boundary lines of the lands of the said coal mine or colliery, and the proximity of the workings thereto; a true copy of which map or plan, the said owner, operator or superintendent shall deposit with the inspector of mines for the district in which the said coal mine or colliery is situated, showing the workings of each seam, if so desired by the inspector, on a separate sheet of tracing muslin. One copy of the said map or plan shall be kept at the colliery.

SECTION 2. The said owner, operator or superintendent shall, as often as once in every six months, place or cause to be placed, on the said inspector's map or plan of said coal mine or colliery, the plan of the extensions made in such coal mine or colliery during the preceding six months. The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey.

SECTION 3. When any coal mine or colliery is worked out preparatory to being abandoned, or when any lift thereof is about to be abandoned, the owner, operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all the excavations, as far as practicable, and such portions thereof as the case may require, shall be carefully verified.

SECTION 4. Whenever the owner, operator or superintendent of any coal mine or colliery shall neglect or refuse, or, from any cause not satisfactory to the inspector, shall fail for the period of three months to furnish to the inspector the map or plan of said colliery, or of the extensions thereto as provided for in this act, the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof, which cost shall be recoverable from said owner as other debts are by law recoverable.

SECTION 5. If the inspector finds, or has reason to believe that any map or plan of any coal mine or colliery, furnished under the provisions of this act, is materially inaccurate or imperfect, it shall be his duty to make application to the court of common pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared, and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner, operator or superintendent shall be liable for the expense incurred in making the same.

SECTION 7. If it shall be shown that the said owner, operator or superintendent has knowingly or designedly caused or allowed such map or plan when furnished to be incorrect or false, such owner, operator or superintendent thus offending shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding three months at the discretion of the court.

SECTION 8. The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the commonwealth, and shall remain in the care of the inspector of the district in which the said collieries are situated, to be transferred by him to his successor in office, and in no case shall any copy of the same be made without the consent of the owner, operator or superintendent.

SECTION 9, (as amended by chapter 144, acts of 1889). The inspector's map or plan of any particular coal mine or colliery and the map or plan kept at the colliery, shall be open to the inspection, (in the presence of the inspector or of the superintendent, mine boss or his assistants, as the case may be,) of any miner of that colliery, whenever said miner shall have cause to fear that his working place is becoming dangerous by reason of its proximity to other workings, which may be supposed to contain water or dangerous gases, but only to the miner working in such supposed dangerous place * * *.

ARTICLE IV.

SECTION 1. It shall not be lawful for the owner, operator or superintendent of any mine to employ any person or persons in such mine, or to permit any person or persons to be in such mine for the purpose of working therein, unless they are in connection with every seam or stratum of coal, and from every lift thereof worked in such mine, not less than two openings or outlets, separated by a strata of not less than sixty (60) feet in breadth under ground and one hundred and fifty (150) feet in breadth at the surface, at which openings or outlets safe and distinct means of ingress and egress are at all times available for the person or persons employed in the said mine; but it shall not be necessary for the said two openings to belong to the same mine, if the persons employed therein have safe, ready and available means of ingress and egress by not less than two openings. This section shall not apply to opening a new mine, or to opening any new lift of a mine while being worked for the purpose of making communication between said two outlets, so long as not more than twenty persons are employed at any one time in such mine or new lift of a mine, neither shall it apply to any mine or part of a mine in which the second outlet has been rendered unavailable, by reason of the final robbing of pillars previous to abandonment, so long as not more than twenty persons are employed therein at any one time. The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet.

SECTION 3. The escapements, shafts or slopes shall be fitted with safe and available appliances, by which the persons employed in the mine may readily escape, in case an accident occurs deranging the hoisting machinery at the main outlets.

SECTION 4. In slopes, where the angle of inclination is fifteen (15) degrees or less, there must be provided a separate traveling way, which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases.

SECTION 5. * * * no inflammable structure, other than a frame to sustain pulleys or sheaves, shall be erected over the entrance of any opening connecting the surface with the underground workings of any mine, and no "breaker," or other inflammable structure for the preparation or storage of coal, shall be erected nearer than two hundred (200) feet to any such opening, but this act shall not be construed to prohibit the erection of a fan drift for the purpose of ventilation, or of a trestle for the transportation of cars from any slope to such breaker, or structure, neither shall it apply to any shaft or slope until the same has been driven, to its proposed limit, or until the work of development and shipment of coal has commenced: *Provided*, That this section shall not apply to breakers that are now erected or that are in course of erection.

SECTION 6. The top of each shaft, and also of each slope, if dangerous, or any intermediate lift thereof, shall be securely fenced off by railing, or by vertical or flat gates.

SECTION 7. Every abandoned slope, shaft, air hole and drift shall be properly fenced around or across its entrance.

SECTION 8. All underground entrances to any places not in actual course of working or extension shall be properly fenced across the whole width of such entrances, so as to prevent persons from inadvertently entering the same.

SECTION 9. The owner, operator or superintendent of any coal mine or colliery, which is worked by shaft or slope, shall provide and maintain a suitable appliance by or through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope, and also an efficient means of signaling from the bottom of such shaft or slope to the engineer in charge of the hoisting engine.

SECTION 10. Hand-rails and efficient safety catches shall be attached to, and a sufficient cover overhead shall be provided on, every cage used for lowering or hoisting persons in any shaft.

SECTION 11. Whenever practicable, every cage or gunboat, used for lowering or hoisting persons in any slope, shall be provided with a proper protector so constructed, that persons, while on such cage or gunboat, shall not be struck by anything which may fall or roll down said slope.

SECTION 12. The main link and chain, connecting the rope to the cage, gunboat or car in any shaft or slope, shall be made of the best quality of iron. Bridle chains, made of the same quality of iron, shall be attached to the main link, rope or rope socket from the cross-head of the cage or gunboat, when persons are being lowered or hoisted thereon.

SECTION 13. The ropes, safety catches, links and chains shall be carefully examined every day they are used, by a competent person delegated for that purpose, and any defects therein found, by which life and limb may be endangered, shall be immediately remedied.

SECTION 14. An efficient brake shall be attached to every drum that is used for lowering or raising persons or material in any mine.

SECTION 15. Flanges or horns, of sufficient dimensions to prevent the rope from slipping off the said drum, shall be provided and properly attached to the drum, and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage, car or gunboat in the shaft or slope.

SECTION 16. Over all shafts, which are being sunk or shall hereafter be sunk, a safe and substantial structure shall be erected to sustain the sheaves or pulleys, at a height of not less than twenty (20) feet above the tipping place, and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied.

SECTION 17. The said structure shall be erected as soon as a substantial foundation is obtained, and in no case shall a shaft be sunk to a depth of more than fifty (50) feet without such structure.

SECTION 18. If provision is made to land the bucket upon a truck, the said truck shall be constructed in such manner that material can not fall into the shaft.

SECTION 19. All rock and coal from shafts as they are being sunk shall not be raised, except in a bucket or on a cage, and such bucket or cage must be connected to the rope or chain by a safety hook, clevis, or other safe attachment.

SECTION 20. Such shafts shall be provided with guides and guide attachments, applied in such a manner as to prevent the bucket from swinging while descending or ascending therein, and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of

such shaft, until its sinking shall have been completed, but this section shall not apply to shafts one hundred (100) feet or less in depth.

SECTION 21. Where the strata are not safe, every shaft shall be securely cased, lined or otherwise made secure.

SECTION 22. The following rules shall be observed, as far as practicable, in every shaft to which this act applies:

First. After each and every blast, the chargeman must see that all loose material is swept down from the timbers, before the workmen descend to their work.

Second. After a suspension of work, and also after firing a blast in a shaft where explosive gases are evolved, the person in charge must have the said shaft examined and tested with a safety lamp, before the workmen are allowed to descend.

Third. Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time, and no person shall ride on a loaded bucket.

Fourth. Whenever persons are employed on platforms, in shafts, the person in charge must see that the said platforms are properly and safely constructed.

Fifth. While shafts are being sunk, all blasts therein must be exploded by an electric battery.

Sixth. Every person, who fails to comply with, or who violates the provisions of this article, shall be guilty of an offense against this act.

ARTICLE V.

SECTION 1. All boilers used for generating steam in and about mines and collieries shall be kept in good order, and the owner, operator or superintendent shall have them examined and inspected by a competent boiler-maker, or other well-qualified person, as often as once in six months, and oftener if needed. The result of such examination, under oath, shall be certified in writing to the inspector of the district, within thirty (30) days thereafter.

SECTION 2. From and after the passage of this act, it shall not be lawful to place any boiler or boilers for the purpose of generating steam under, nor nearer than one hundred (100) feet to, any coal breaker or other structure, in which persons are employed in the preparation of coal: *Provided*, That this section shall not apply to breakers already erected, or that are in course of erection.

SECTION 3. Each nest of boilers shall be provided with a safety valve, of sufficient area for the steam to escape, and with weights or springs properly adjusted.

SECTION 4. Every boiler house shall be provided with a steam gauge, properly connected with the boilers, to indicate the steam pressure; and another steam gauge shall be attached to the steam pipe in the engine house, and placed in such position, that the engineer or fireman can readily examine them and see what pressure is carried. Such steam guages shall be kept in good order, tested and adjusted as often as once in every six months, and their condition reported to the inspector in the same manner as the report of boiler inspection.

SECTION 5. All machinery used in or around the mines and collieries, and especially in breakers, such as engines, wheels, screens, shafting and belting, shall be protected by covering or railing, so as to prevent persons from inadvertently walking against or falling upon the same. The sides of stairs, trestles and dangerous plank walks, in and around the collieries, shall be provided with hand and guard-railing, to prevent persons from falling over the sides. This section shall not forbid the temporary removal of a fence, guard rail or covering for the purpose of repairs or other operation, if proper precautions are used and the fence, guard rail or covering is replaced immediately thereafter.

SECTION 6. A sober and competent person, not under eighteen (18) years of age, shall be engaged to run the breaker engine, and he shall attend to said engine while the machinery is in motion.

SECTION 7. A signal apparatus shall be established at important points in every breaker, so that in case of an accident the engineer can be promptly notified to stop the machinery.

SECTION 8. No person under fifteen (15) years of age shall be appointed to oil the machinery, and no person shall oil dangerous parts of such machinery while it is in motion.

SECTION 9. No person shall play with, loiter around or interfere with any machinery in or about any mine or colliery.

SECTION 10. Failure to comply with the provisions of this article shall be deemed an offense against this act.

ARTICLE VI.

SECTION 1. It shall be the duty of the owner, operator or superintendent of each mine or colliery, at the request in writing of the inspector of mines, to provide a suitable building, not an engine or boiler house, which shall be convenient to the principal entrance of such mine, for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom. The said building shall be maintained in good order, be properly lighted and heated, and supplied with pure cold and warm water, and shall be provided with facilities for persons to wash. If any person or persons shall neglect or fail to comply with the provisions of this article, or maliciously injure, or destroy, or cause to be injured or destroyed, the said building or any part thereof, or any of the appliances, or fittings used for supplying light, heat and water therein, or doing any act tending to the injury or destruction thereof, he or they shall be deemed guilty of an offense against this act.

ATRICLE VII.

SECTION 1. The owner, operator or superintendent of every mine or colliery, except as hereinafter provided, shall provide and keep at such mine or colliery an ambulance and also at least two (2) stretchers, for the purpose of conveying to their places of abode any person or persons, who may be injured while in the discharge of his or their work at such mine or colliery.

SECTION 2. The said ambulance shall be constructed upon good, substantial and easy springs; it shall be covered and closed, and shall have windows on the sides or ends: it shall be of sufficient size to convey at least two injured persons, with two attendants, at one time, and shall be provided with spring mattresses, or other comfortable bedding, to be placed on roller frames, together with sufficient covering for the comfort and protection and convenient moving of the injured; it shall also be provided with seats for the attendants. The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured person.

SECTION 3. Whenever any person or persons employed in or about a mine or colliery shall receive such injury, by accident or otherwise, while so employed, as would render him or them unable to walk to his or their place of abode, the owner, operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed to his or their place of abode, or to an hospital, as the case may require.

SECTION 4. It is provided, however, that the owner, operator or superintendent of any mine or colliery shall be excepted from the requirements of an ambulance as aforesaid, if the places of abode of all the workmen at such mine or colliery be within a radius of a half mile from the principal entrance to such mine.

SECTION 5. It is provided further that where two or more mines or collieries are located within one mile of each other, or the ambulance is located within one mile of each colliery, but one ambulance as aforesaid shall be required, if the said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone.

SECTION 6. An ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed.

SECTION 7. In case the distance from any mine or colliery, to the place of abode of the person injured, is such as to permit his conveyance to his home, or to an hospital, more quickly and conveniently by railway, such mode of conveyance shall be permitted, but in such case the conveyance must be under cover and the comfort of the injured person must be provided for.

ARTICLE VIII.

SECTION 1. From and after the first day of July, one thousand eight hundred and eighty-six, no person shall be permitted to act as mine foreman, unless he is registered as a holder of a certificate under this act.

SECTION 2. Certificates of qualification to mine foremen shall be granted by the secretary of internal affairs, to every applicant, who may be reported by the examiners, as hereinafter provided, as having passed a satisfactory examination, and as having given satisfactory evidence of at least five years' practical experience, and of good conduct, capability and sobriety.

The certificate shall be in manner and form as shall be prescribed by the secretary of internal affairs, and a record of all certificates issued shall be kept in his department.

SECTION 6. No mine shall be operated for a longer period than thirty (30) days without the supervision of a mine foreman: *Provided, however*, That any mine employing ordinarily less than ten (10) persons underground, or one whose daily output is less than fifty (50) tons of coal, shall be exempt from the operations of this section.

SECTION 7. In case any mine, except as hereinafter excepted, is worked a longer period than thirty (30) days without such certificated mine foreman, the owner, operator or superintendent thereof shall be subject to a penalty of twenty dollars per day, for each day over the said thirty (30) days during which the said mine is worked, unless it shall be clearly shown that the said owner, operator or superintendent has used all reasonable means for the enforcement of this article and to prevent the mine from being worked contrary to this act: *And provided further*, That in case no suitable or satisfactory certificated mine foreman may at the time be obtained, some suitable person may be appointed to act as mine foreman for the space of three months, or until such person can obtain the proper certificate under this act.

ARTICLE IX.

SECTION 1. No boy under the age of fourteen years, and no woman or girl of any age, shall be employed or permitted to be in any mine for the purpose of employment therein; nor shall a boy under the age of twelve years, or a woman, or girl of any age, be employed or permitted to be in or about the outside structures or workings of a colliery for the purpose of employment, but it is provided, however, that this prohibition shall not affect the employment of a boy or female of suitable age in an office, or in the performance of clerical work at a colliery.

SECTION 2. When the employer is in doubt as to the age of any boy or youth applying for employment in or about a mine or colliery, he shall demand and receive proof of the said lawful employment age of such boy or youth by certificate from the parent or guardian, before said boy or youth shall be employed.

SECTION 3. If any person or persons contravene, or fail to comply with the provisions of this act in respect to the employment of boys, young male persons, or females, or if he or they shall connive with, or permit others to contravene or fail to comply with said provisions, or a parent or guardian of a boy or young male person, make or give a false certificate of the age of such boy or young male person, or knowingly do or perform any act for the purpose of securing employment for a boy or young male person under the lawful employment age and in contravention of the provisions of this act, he or they shall be guilty of an offense against this act.

ARTICLE X.

SECTION 1. The owner, operator or superintendent of every mine shall provide and maintain an adequate supply of pure air for the same, as hereinafter provided.

SECTION 2. * * * it shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated.

SECTION 3. The minimum quanity of air thus produced shall not be less than two hundred (200) cubic feet per minute, for each and every person employed in any mine, and as much more as the circumstances may require.

SECTION 4. The ventilating currents shall be conducted and circulated to and along the face of each and every working place throughout the entire mine, in sufficient quantities to dilute, render harmless and sweep away smoke and noxious or dangerous gases, to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein.

SECTION 5. All worked out or abandoned parts of a mine, so far as practicable, shall be kept free of dangerous bodies of gases.

SECTION 6. One year after the passage of this act, every mine employing more than seventy-five (75) persons must be divided into two or more districts: each district shall be provided with a separate split of pure air, and the ventilation shall be so arranged that no more than seventy-five (75) persons shall be employed at the same time in any one current or split of air.

The inlet and return air passages for any particular district must be separated by a pillar of coal or stone, if the thickness and dip of the vein will permit, ex-

cept where it is necessary to cut through said dividing pillar for the purpose of ventilation, traffic or drainage.

SECTION 7. All the air passages shall be of a sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air per minute for every person working therein, and in no case, in mines generating explosive gases, shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening, through which the air currents pass, if gauze safety lamps are used, except in the main inlet or outlet airways.

SECTION 8. All cross-cuts, connecting the main inlet and outlet air passages of every district, when it becomes necessary to close them permanently, shall be substantially closed with brick or other suitable building material laid in mortar, or cement wherever practicable, but in no case shall said air stoppings be constructed of plank, except for temporary purposes or as above provided.

SECTION 9. All doors used in assisting or in any way affecting the ventilation shall be so hung and adjusted, that they will close of their own accord and can not stand open.

SECTION 10. All main doors shall have an attendant, whose constant duty it shall be to open them for transportation and travel and prevent them from standing open, longer than is necessary for persons or cars to pass through.

SECTION 11. All main doors shall be so placed that when one door is open, another, which has the same effect upon the same current, shall be and remain closed, and thus prevent any temporary stoppage of the air current.

SECTION 12. An extra main door shall be placed and kept standing open so as to be out of reach of accident, and so fixed that it can be at once closed in the event of an accident to the doors in use.

SECTION 13. The framework of such main doors shall be substantially secured in stone or brick laid in mortar or cement, unless otherwise permitted in writing by the inspector.

SECTION 14. All permanent air bridges shall be substantially built of such material and of such strength as the circumstances may require.

SECTION 15. The quantities of air in circulation shall be ascertained with an anemometer, or other efficient instrument. Such measurement shall be made by the inside foreman, or his assistant, once every week at the inlet and outlet airways, also at or near the face of each gangway, and shall be entered in the colliery report book.

SECTION 16. A copy of these air measurements shall be sent to the inspector, before the twelfth (12th) day of each month for the preceding month, together with a statement of the number of persons employed in each district.

SECTION 17. All ventilators, used at mines generating explosive gases, shall be provided with recording instruments by which the number of revolutions of the fan shall be registered for each hour, and such data shall be taken and reported in the colliery report book.

SECTION 18. Any person or persons, who shall neglect or fail to comply with the provisions of this article, or who shall knowingly make any false report in regard to air measurements, shall be guilty of an offense against this act.

ARTICLE XI.

SECTION 1. It shall be the duty of the owner, operator, superintendent, or mine foreman of every mine to furnish to the miners, at their request, all props and timbers necessary for the safe mining of coal and for the protection of the lives of the workmen. Such props and timbers shall be suitably prepared and shall be delivered to the workmen, as near to their working places as they can be conveyed in ordinary mine cars, free of charge.

SECTION 2. Every workman in want of props or timbers shall notify the mine foreman, or his assistant, of the fact, at least one day in advance, giving the length of the props or timber required, and in case of danger from loose roof or sides, he shall not continue to cut or load coal, until the said props and timber have been properly furnished and the place made secure.

SECTION 3. A failure to comply with the provisions of this article shall be deemed an offense against this act, and shall be taken to be negligence per se on the part of the owner, operator, superintendent or mine foreman as the case may be, of such mine, in such action for the recovery of damages for accidents resulting from the insufficient propping of such mine through failure to furnish the necessary props or timber.

ARTICLE XII.

The following general rules shall be observed in every mine to which this act applies:

Rule 1.—The owner, operator or superintendent of a mine or colliery shall place the underground workings thereof and all that is related to the same under the charge and daily supervision of a competent person, who shall be called "mine foreman."

Rule 2.—Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him, the owner, operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants, who shall be subject to his orders.

Rule 3.—The mine foreman shall have charge of all matters pertaining to ventilation, and the speed of the ventilators shall be particularly under his charge and direction.

Rule 4.—All accessible parts of an abandoned portion of a mine, in which explosive gases have been found, shall be carefully examined by the mine foreman, or his assistants, at least once every week, and all danger found existing therein shall be immediately removed. A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same.

Rule 5.—In mines generating explosive gases, the mine foreman or his assistant shall make a careful examination every morning of all working places and traveling roads before the workmen shall enter the mine, and such examination shall be made with a safety lamp within three hours at most before time for commencing work, and a workman shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe. Every report shall be recorded without delay in a book, which shall be kept in the colliery for the purpose, and shall be signed by the person making the examination.

Rule 6.—The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place.

Rule 7.—A station or stations shall be established at the entrance to each mine, or different parts of each mine as the case may require, and a workman shall not pass beyond any such station, until the mine or part of the mine beyond the same has been inspected and reported to be safe.

Rule 8.—If at any time it is found by the person for the time being in charge of the mine, or any part thereof, that, by reason of noxious gases prevailing in such mine, or such part thereof, or of any cause whatever, the mine or the said part is dangerous, every workman, except such persons as may be required to remove the danger, shall be withdrawn from the mine, or such part thereof as is so found dangerous, until the said mine, or said part thereof, is examined by a competent person and reported by him to be safe.

Rule 9.—In every working approaching any place where there is likely to be an accumulation of explosive gases, or in any working in which danger is imminent from explosive gases, no light or fire, other than a locked safety lamp, shall be allowed or used. Whenever safety lamps are required in any mine, they shall be the property of the owner of said mine, and a competent person, who shall be appointed for the purpose, shall examine every safety lamp immediately before it is taken into the workings for use and ascertain it to be clean, safe and securely locked, and safety lamps shall not be used until they have been so examined and found safe, clean and securely locked, unless permission be first given by the foreman to have the lamps used unlocked.

Rule 10.—No one, except a duly authorized person, shall have in his possession a key, or any other contrivance, for the purpose of unlocking any safety lamp in any mine where locked safety lamps are used. No lucifer matches or any other apparatus for striking light shall be taken into said mine or parts thereof.

Rule 11.—No blast shall be fired in any mine where locked safety lamps are used, except by permission of the mine foreman or his assistant, and before a blast is fired, the person in charge must examine the place and adjoining places and satisfy himself that it is safe to fire such blast before such permission is given.

Rule 12.—The mine foreman, or his assistant, shall visit and examine every working place in the mine at least once every alternate day, while the men of such place are or should be at work, and shall direct that each and every working place is properly secured by props or timber, and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured, and that no person shall be permitted to work in an unsafe place, unless it be for the purpose of making it secure.

Rule 13.—The mine foreman, or some other competent person or persons, to be designated by him, shall examine at least once every day all slopes, shafts, main roads, traveling ways, signal apparatus, pulleys and timbering, and see that they are in safe and efficient working condition.

Rule 14.—Any person having charge of a working place in any mine shall keep the roof and sides thereof properly secured by timber, or otherwise, so as to prevent such roof and sides from falling, and he shall not do any work or permit any work to be done under loose or dangerous material, except for the purpose of securing the same.

Rule 15.—Whenever a place is likely to contain a dangerous accumulation of water, the working approaching such place shall not exceed twelve (12) feet in width, and there shall be constantly kept, at a distance of not less than twenty (20) feet in advance, at least one bore hole near the center of the working and sufficient flank bore holes on each side.

Rule 16.—No person shall ride upon or against any loaded car, cage or gunboat in any shaft, slope or plane in or about a mine or colliery.

Rule 17.—Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope, and whenever ten persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered, they shall be furnished with an empty car or cage and be hoisted, except however in mines where there is provided a traveling way having an average pitch of fifteen degrees (15°) or less and not more than one thousand feet in length.

Rule 18.—An engineer placed in charge of an engine, whereby persons are hoisted or lowered in any mine, shall be a sober and competent person of not less than twenty-one (21) years of age.

Rule 19.—Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope, and no one shall interfere with or intimidate him while in the discharge of his duties.

Rule 20.—An engineer, who has charge of the hoisting machinery by which persons are lowered or hoisted in a mine, shall be in constant attendance for that purpose during the whole time any person or persons are below ground, and he shall not allow any person or persons, except such as may be deputed by the owner, operator or superintendent, to handle or meddle with the engine under his charge or any part of its machinery.

Rule 21.—When any person is about to descend or ascend a shaft or slope, the headman or footman, as the case may be, shall inform the engineer by signal or otherwise of the fact, and the engineer shall return a signal before moving or starting the engine. In the absence of a headman or footman, the person or persons about to descend or ascend shall give and receive the signals in the same manner.

Rule 22.—The owner, operator or superintendent of a colliery shall place a competent person, to be called outside foreman, in charge of the breaker and the outside work of such colliery, and who shall direct, and, as far as practicable, see that the provisions of this act are complied with in respect to the breaker, outside machinery, ropes, cages and all other things pertaining to the outside work, unless otherwise provided for in this act.

Rule 23.—In all coal breakers, where the coal dust is so dense as to be injurious to the health of persons employed therein, the owner, operator or superintendent of said breaker shall, upon the request of the inspector, immediately adopt measures for the removal of the dust, as far as practicable.

Rule 24.—Any miner, or other workman, who shall discover anything wrong with the ventilating current, or with the condition of the roof, sides, timber or roadway, or with any other part of the mine, in general, such as would lead him to suspect danger to himself, or to his fellow workmen, or to the property of his employer, shall immediately report the same to the mine foreman, or other person for the time being in charge of that portion of the mine.

Rule 25.—Any person or persons who shall knowingly or wilfully damage, or without proper authority remove, or render useless any fencing, means of signaling, apparatus, instrument or machine, or shall throw open or obstruct any airway or open a ventilating door and not have the same closed, or enter a place in or about a mine against caution, or carry fire, open lights or matches in places where safety lamps are used, or handle without authority, or disturb any machinery or cars, or do any other act or thing, whereby the lives or health of persons, or the security of the property in or about a mine or colliery are endangered, shall be guilty of an offense against this act.

Rule 26.—Gunpowder, or any other explosive, shall not be stored in a mine, and a workman shall not have at any one time in any one place more than one keg

or box containing twenty-five (25) pounds, unless more is necessary for a person to accomplish one day's work.

Rule 27.—Every person who has gunpowder, or other explosive in a mine, shall keep it in a wooden or metallic box securely locked, and such box shall be kept at least ten feet from the tracks, in all cases where room at such distance is available.

Rule 28.—Whenever a workman shall open a box containing explosives, or while in any manner handling the same, he shall first place his lamp not less than five feet from such explosive and in such a position that the air current can not convey sparks to it, and a workman shall not approach nearer than five feet to an open box containing powder, with a lighted lamp, lighted pipe or any other thing containing fire.

Rule 29.—When high explosives, other than gunpowder, are used in any mine, the manner of storing, keeping, moving, charging and firing, or in any manner using such explosives shall be in accordance with special rules, as furnished by the manufacturers of the same. The said rules shall be indorsed with his or their official signature, and shall be approved by the owner, operator or superintendent of the mine in which such explosives are used.

Rule 30.—In charging holes for blasting in slate or rock in any mine, no iron or steel pointed needle shall be used, and a tight cartridge shall not be rammed into a hole in coal, slate or rock with an iron or steel tamping bar, unless the end of the tamping bar is tipped with at least six (6) inches of copper, or other soft metal.

Rule 31.—A charge of powder, or any other explosive, in slate or rock, which has missed fire, shall not be withdrawn or the hole reopened.

Rule 32.—A miner, or other person who is about to explode a blast by the use of a patent, or other squibs, or matches shall not shorten the match, nor saturate it with mineral oil, nor turn it down when placed in the hole, nor ignite it except at its extreme end, nor do anything tending to shorten the time the match will burn.

Rule 33.—When a workman is about to fire a blast, he shall be careful to notify all persons, who may be in danger therefrom, and shall give a sufficient alarm, so that any person or persons, who may be approaching, shall be warned of the danger.

Rule 34.—Before commencing work, and also after the firing of every blast, the miner, working a breast or any other place in a mine, shall enter such breast or place to examine and ascertain its condition, and his laborer or assistant shall not go to the face of such breast or place until the miner has examined the same and found it to be safe.

Rule 35.—No person shall be employed to blast coal or rock, unless the mine foreman is satisfied that such person is qualified by experience and judgment to perform the work with ordinary safety.

Rule 36.—A person who is not a practical miner shall not charge or fire a blast in the absence of an experienced miner, unless he has given satisfactory evidence of his ability to do so with safety and has obtained permission from the mine foreman or person in charge.

Rule 37.—An accumulation of gas in mines shall not be removed by brushing, where it is practicable to remove it by brattice.

Rule 38.—When gas is ignited by blast or otherwise, the person igniting the same shall immediately extinguish it, if possible, and notify the mine foreman or his assistant of the fact, and workmen must see that no gas blowers are left burning upon leaving their working places.

Rule 39.—Every fireman in charge of a boiler or boilers for the generation of steam shall keep a constant watch of the same; he shall see that the steam pressure does not at any time exceed the limit allowed by the outside foreman or superintendent; he shall frequently try the safety valve and shall not increase the weight on the same; he shall maintain a proper depth of water in each boiler, and if anything should happen to prevent this, he shall report the same without delay to the foreman for the time being in charge, and take such other action as may, under the particular circumstances, be necessary for the protection of life and preservation of property.

Rule 40.—At every shaft or slope, in which provision is made in this act for lowering and hoisting persons, a headman and footman shall be designated by the superintendent or foreman to be at their proper places from the time that persons begin to descend until all the persons, who may be at the bottom of said shaft or slope when quitting work, shall be hoisted. Such headman and footman shall personally attend to the signals, and see that the provisions of this act, in respect to lowering and hoisting persons in shafts or slopes, shall be complied with.

Rule 41.—No person, except the man giving the signal, shall jump on a car, cage or gunboat after the signal to start has been given, and if any person should enter a car, cage or gunboat in excess of the lawful number, the headman or footman shall notify him of the fact and request him to get off, which request must be immediately complied with. Any violation of this rule must be reported promptly to the mine foreman.

Rule 42.—Every passageway used, by persons in any mine and also used for transportation of coal of other material, shall be made of sufficient width to permit persons to pass moving cars with safety, but if found impracticable to make any passageway of sufficient width, then safety holes of ample dimensions and not more than one hundred and fifty feet apart shall be made on one side of said passageway. The said passageway and safety holes shall be kept free from obstructions and shall be well drained, the roof and sides of the same shall be made secure.

Rule 43.—When locomotives are used in any mine their speed shall not exceed six miles per hour, and an efficient alarm shall be provided and attached to the front end of every train of cars pushed by a locomotive in any mine or part of a mine.

Rule 44.—Locomotives propelled by steam, if using fire, shall not be used in any passageway, which is also used as an in-take air-way to any mine or part of a mine where persons are employed, unless there be a sufficient quantity of air circulating therein to maintain a healthy atmosphere.

Rule 45.—No person, except the driver and helper, shall couple or uncouple loaded or empty cars while the same are in motion.

Rule 46.—When cars are run on gravity road by breaks or sprags, the runner shall ride only on the rear end of the last car; and when said cars are run by sprags, a space of not less than two feet from the body of the car shall be made on one or both sides of the track, whenever it may be necessary for the runner to pass along the side of the moving car or cars, and said space or passageway shall always be kept free from obstruction.

Rule 47.—No person shall run cars on gravity roads, or act as a driver or runner, or sprag any mine car after it has been started from the face of a chamber, unless he is authorized to do so by the mine foreman or his assistant, and all runners engaged in any mine or part of a mine must have attained the age of fifteen years.

Rule 48.—When deemed necessary by the mine-inspector and upon his request in writing to the owner, operator or superintendent, safety holes shall be made at the bottom of all slopes and planes, and shall be kept free from obstruction, to enable the footman to escape readily in case of danger.

Rule 49.—Safety blocks, or some other device for the purpose of preventing cars from falling into a shaft, or running away on a slope or plane, shall be placed at or near the head of every shaft, slope or plane, and said safety blocks or other device must be maintained in good working order.

Rule 50.—No person shall travel on any gravity plane while cars are being hoisted or lowered thereon. Whenever ten persons arrive at the bottom or top of any plane on which it is necessary for men to travel, traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said plane.

Rule 51.—From and after the passage of this act, no mine car shall be built or reconstructed for use in any mine, unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other, and five years after the passage of this act, no mine car shall be used in any mine unless it complies with the above conditions.

Rule 52.—Every person who wilfully or negligently acts in contravention of, or fails to comply with, any of the foregoing rules, or any of the provisions of this article, shall be guilty of an offense against this act.

ARTICLE XIII.

SECTION 1. There shall be established in every mine or colliery, to which this act applies, such rules for the conduct and guidance of the persons acting in the management of such mine or colliery, or employed in or about the same, as under the particular state and circumstances of such mine or colliery may appear best calculated to prevent dangerous accidents and to provide for the safety and proper discipline of the persons employed in and about the mine or colliery; and such special rules when established shall be signed by the inspector, who is the in-

spector of the district at the time such rules are established, and shall also be approved by the court of the county in which the mine or colliery is located, and after having been so signed and approved, the said special rules shall be observed in and about every such mine or colliery in the same manner as if they were enacted in this act.

SECTION 2. If any person, who is bound to observe the special rules established for any mine or colliery, acts in contravention of, or fails to comply with, any of such special rules, he shall be guilty of an offense against this act, and the owner, operator or superintendent of such mine shall also be guilty of an offense against this act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine or colliery, so as to prevent such contravention or non-compliance.

SECTION 5. For the purpose of making known the special rules and the provisions of this act to all persons employed in or about such mine or colliery, to which this act applies, an abstract of the act, together with the special rules, shall be posted up, in legible characters, in some conspicuous place or places at or near the mine or colliery, where they may be conveniently read by the persons employed, and so often as the same becomes defaced, obliterated or destroyed, the owner, operator or superintendent shall cause them to be renewed with all reasonable dispatch.

Every person who pulls down, injures or defaces any abstract or special rules, when posted up in pursuance to the provisions of this act, shall be guilty of an offense against this act.

ARTICLE XIV.

SECTION 1. Whenever loss of life to a miner or other employé occurs in or about a mine or colliery, notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the foreman or outside foreman, or other person having immediate charge of the work at the time of the accident, and when death results from personal injury, such notice shall be given promptly after the knowledge of the death comes to the said foreman or person in charge.

SECTION 2. Whenever loss of life occurs, or whenever the lives of persons employed in a mine or at a colliery are in danger from any accident, the inspector of mines shall visit the scene of the accident as soon as possible thereafter, and offer such suggestions as in his judgment shall be necessary to protect the lives and secure the safety of the persons employed. In case of death from such accident and after examination he finds it necessary that a coroner's inquest shall be held, he shall notify the coroner to hold such inquest without delay, and if no such inquest be held by the coroner within twenty-four (24) hours after such notice, the inspector shall institute a further and fuller examination of such accident, and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat. The inspector shall make a record of all such investigations and accidents, which records shall be preserved in his office. The cost of such investigation shall be paid by the county in which the accident occurred, in like manner as costs of inquests held by coroners or justices of the peace are now paid.

SECTION 3. An inquest, held by the coroner upon the body of a person killed by explosion or other accident, shall be adjourned by the coroner, if the inspector of mines be not present to watch the proceedings, and the coronor in such case shall notify the inspector in writing of such adjourned inquest and the time and place of holding the same, at least three days previous thereto.

SECTION 4. Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector, and at any such inquest, the inspector shall have the right to examine witnesses.

SECTION 5. If at any inquest, held over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery, the inspector be not present, and it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery, which in the judgment of the jury requires a remedy, the coroner shall send notice in writing to said inspector of such neglect or default.

SECTION 6. No person who is interested personally, nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident, shall be qualified to serve on a jury empanelled on the inquest, and a constable or other officer shall not summon such a person so disqualified as juror, but the coroner

shall empanel a majority of the jury from persons who are qualified to judge of the nature of the accident. Every person who fails to comply with the provisions of this article shall be guilty of an offence against this act.

ARTICLE XV.

SECTION 1. Notices of deaths, or serious injuries resulting from accident in or about mines or collieries, shall be made to the inspector of mines in writing, and shall specify the name, age and occupation of the person killed or injured, and also the nature and character of the accident and of the injury caused thereby.

SECTION 2. The owner, operator or superintendent of a mine or colliery shall, within two weeks, give notice to the inspector of the district in which said mine or colliery is situated in any or all of the following cases:

First. Where any working is commenced for the purpose of opening a new shaft, slope or mine to which this act applies.

Second. Where any mine is abandoned, or the working thereof discontinued.

Third. Where the working of any mine is recommenced after any abandonment or discontinuance for a period exceeding three months.

Fourth. Where any new coal breaker is completed and work commenced therein for the purpose of preparing coal for the market.

Fifth. Where the pillars of a mine are about to be removed or robbed.

Sixth. Where a squeeze, or crush, or any other cause, or change may seem to affect the safety of persons employed in any mine, or where fire occurs, or a dangerous body of gas is found in any mine.

SECTION 3. On or before the first day of February, in each year, the owner, operator or superintendent of every mine or colliery, shall send to the inspector of the district a correct report specifying with respect to the year ending December thirty-first (31st), previously, the name of the operator and officials of the mine, the quantity of coal mined, the amount of powder consumed, the number of persons employed, above and below ground, in or about such colliery, classifying the persons so employed. The report shall be in such form as may be from time to time prescribed by the inspector of the district. Blank forms for said report shall be furnished by the commonwealth.

ARTICLE XVII.

SECTION 1. Whenever an inspector finds any mine or colliery, or part thereof, or any matter, thing or practice connected with such mine, which, in any respect thereof, is not covered by or provided against by any provision of this act, or by any special rule, to be dangerous or defective, or in his judgment tends to bodily injury to a person, he shall give notice thereof in writing to the owner, operator or superintendent of such mine or colliery, stating in such notice the particular matter or defect requiring remedy, and may demand that the same be remedied, but the owner, operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration, and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand be made. The said board of arbitration shall be composed of three persons, one of whom shall be chosen by the inspector, one by the said owner, operator or superintendent, and the third by the two thus selected, and a decision of a majority of such board shall be final and binding in the matter.

ARTICLE XVIII.

SECTION 1. Any judge of the court of quarter sessions of the peace of the county in which the mine or colliery, at which the offense, act, or omission as hereinafter stated has occurred, is situated, is hereby authorized and required, upon the presentation to him of the affidavit of the mine inspector of the district setting forth that the owner, operator, superintendent, or any other person employed in or about such mine or colliery, had been wilfully or negligently guilty of any offense against the provisions of this act, whereby a dangerous accident had resulted, or might have resulted, to any person or persons employed in such mine or colliery, to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge, who shall hear and determine the guilt or innocence of the person or per-

sons so charged, and if convicted, he or they shall be sentenced to pay a fine not exceeding fifty dollars, in all cases not otherwise provided for in this act, or an imprisonment in the county jail for a period not exceeding three months, or both, at the discretion of the court: *Provided*, That any defendant may waive a trial before a judge as herein provided, and, at any time at or before the time of such trial, demand a trial by a jury in the court of quarter sessions, in which case he may enter into a recognizance before said judge, with such surety or sureties and in such sum as said judge may approve, condition for his appearance at the next court of quarter sessions to answer the charge against him and abide the orders of the court in the premises, meanwhile to be of good behavior and keep the peace, or in default of such recognizance to be committed to the county jail to await such trial.

SECTION 3. Nothing in this act shall prevent any person from being indicted, or liable under any other act to any higher penalty or punishment than is herein provided, and if the court, before whom any such proceedings is had, shall be of the opinion that proceedings ought to be taken against such persons, under any other act or otherwise, he may adjourn the case to enable the proceedings to be taken.

SECTION 4. All offenses under this act are declared to be misdemeanors, and in default of payment of any penalty or costs by the party or parties sentenced to pay the same, he or they may be imprisoned for a period not exceeding three months and not less than thirty days.

SECTION 5. If any mine inspector shall be notified in writing of any violation of this act, as above provided, with the names of witnesses, who can prove the fact and with the name of the person giving the information subscribed thereto, and he shall wilfully and corruptly neglect or refuse to make complaint to the judge as herein provided, he shall be guilty of a misdemeanor, and upon conviction shall pay a fine not exceeding five hundred dollars, and be removed and discharged from his said office by the sentence of the court; such neglect or refusal in the absence of any just, or reasonable cause or ground therefor shall be deemed corrupt.

SECTION 8. That for any injury to persons or property occasioned by any violation of this act, or any wilful failure to comply with its provisions, by any owner, operator or superintendent of any coal mine or colliery, or any other person, a right of action shall accrue to the party injured for any direct damages he may have sustained thereby, and in case of loss of life by reason of such wilful neglect or failure aforesaid, a right of action shall accrue to the widow and lineal heirs of the person, whose life shall be lost, for like recovery of damages for the injury they shall have sustained.

ARTICLE XIX.

In this act, unless the context otherwise requires, the term "coal mine or colliery" includes every operation and work, both under ground and above ground, used or to be used for the purpose of mining and preparing coal.

The term "workings" includes all the excavated parts of a mine, those abandoned as well as the places actually at work.

The term "mine" includes all underground workings and excavations, and shafts, tunnels and other ways and openings, also all such shafts, slopes, tunnels and other openings in the course of being sunk or driven, together with all roads, appliances, machinery and materials connected with the same below the surface.

The term "shaft" means a vertical opening through the strata, and which is or may be used for the purpose of ventilation, or drainage, or for hoisting men or material in connection with the mining of coal.

The term "slope" means any inclined way or opening used for the same purpose as a shaft.

The term "breaker" means the structure containing the machinery used for the preparation of the coal.

The terms "owners" and "operators" means any person or body corporate, who is the immediate proprietor, or lessee, or occupier of any coal mine or colliery, or part thereof. The term "owner" does not include a person, or body corporate, who merely receives a royalty, rent or fine from a coal mine or colliery, or part thereof, or is merely the proprietor of a mine, subject to any lease, grant or license for the working or operating thereof, or is merely the owner of the soil and not interested in the minerals of the mine, or any part thereof. But any "contractor," for the working or operating of a mine or colliery, or of any part,

or district thereof, shall be subject to this act as an operator or owner, in like manner as if he was the owner.

The term "superintendent" means the person, who shall have, on behalf of the owner, general supervision of one or more mines or collieries.

ACTS OF 1887.

ACT No. 7.—*Seats for female employés.*

SECTION 1. * * * every person, firm, association, individual, partnership or corporation, employing female employés in any manufacturing, mechanical or mercantile establishment in this State, shall provide suitable seats for the use of the female employés so employed, and shall permit the use of such, by them, when they are not necessarily engaged in the active duties for which they are employed.

SECTION 2. Any person, firm, association, individual, partnership or corporation, violating any of the provisions of this act, shall, upon conviction thereof before any magistrate, alderman or justice of the peace, be sentenced to pay a fine of not less than twenty-five, nor more than fifty dollars, * * * and costs for each offense, and any [*sic*] failure to pay the same shall be committed to the proper jail until discharged according to law.

ACT No. 10.—*Hours of labor—Street railways.*

SECTION 1. * * * it shall be unlawful for the president, board of directors, superintendent or other agents of any horse, cable and electric railway company to permit or suffer any conductor, driver, or any other person in the employ of any such company, to work more than twelve hours in any one day in the service of such company: *Provided*, That all necessary labor, over and above the time set by this section, shall be considered overwork, for which the laborer shall receive additional compensation.

SECTION 2. Any president, director, or other officer of such company, who shall permit or suffer any conductor, driver, or any other person in the employ of such company, to work more than twelve hours of any one day in the service of such company, except as provided in section 1, shall be guilty of a misdemeanor, and, on conviction thereof, shall suffer imprisonment for not less than thirty days, nor more than six months.

SECTION 3. On the preliminary trial, or hearing of any such president, director, or other officer, charged with the misdemeanor aforesaid, evidence of the actual service by such conductor, driver or any other employé, during more than twelve hours in any one day, shall be sufficient *prima facie* proof of such permission, or sufferance, by such president, director, or other officer: *Provided, however*, That a party charged with such offense may show, in his defense, that such excessive service was without his knowledge, permission or sufferance.

ACT No. 30.—*Convict labor.*

SECTION 11. As the aim and purposes of the industrial reformatory is to prevent young first offenders against the laws of the state from becoming criminals, and to subject them while in custody in this reformatory to such remedial, preventative treatment, training, and instruction as may make them honest, reputable citizens, the board of managers is authorized and hereby empowered to establish, by rules and regulations governing the superintendent and other officers, such a system of discipline for the inmates as will secure to each instruction in the rudiments of an English education, and in such manual, handicraft, skilled vocations as may be useful to each of the inmates after his discharge from the reformatory, whereby said person will be able to obtain self-supporting employment. The contract system of labor shall not exist in any form whatever in said reformatory, but the prisoners shall be employed by the commonwealth. * * *

ACT No. 54.—*Exemption from taxation.*

SECTION 1. * * * All taxes, for whatsoever purpose, laid upon watches, household furniture and pleasure carriages, by and under the revenue laws of this commonwealth, be and the same are hereby abolished, and the laws under which said taxes are levied and collected, so far as they relate to the property herein mentioned, are hereby repealed.

ACT NO. 75.—*Discharged soldiers, sailors and marines preferred in employment on public works.*

PREAMBLE. WHEREAS, there are no laws in the state of Pennsylvania giving preference of appointment or employment to honorably discharged soldiers, sailors and marines, who fought for the Union cause in the late war of the rebellion:

AND WHEREAS, the sacrifices, trials and sufferings, they have endured, entitle them to special recognition; therefore,

SECTION 1. *Be it enacted, etc.*, That, in every public department and upon all public works of the state of Pennsylvania, honorably discharged Union soldiers, sailors and marines of the late rebellion, shall be preferred for appointment and employment; age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the other requisite qualifications.

ACT NO. 91.—*Assignment, etc., of claims to avoid effect of exemption laws as regards wages, unlawful.*

SECTION 1. * * * it shall be unlawful for any person or persons * * * to assign or transfer any claim for debt against a resident of this commonwealth for the purpose of having the same collected by proceedings in attachment in courts outside of this commonwealth, or to send out of this commonwealth by assignment, transfer or other manner whatsoever, either for or without value, any claim for debt against any resident thereof, for the purpose or with the intent to deprive such persons of the right to have his personal earnings or property exempt from application to the payment of his debts according to the laws of this commonwealth, where the creditor and debtor and the person or corporation owing the money intended to be reached by such proceedings are within the jurisdiction of the courts of this commonwealth; and the person or persons assigning or transferring any such claim, for the purpose or with the intent aforesaid, shall be liable in an action of debt to the person or persons from whom any such claim shall have been collected by attachment or otherwise outside of the courts of this commonwealth for the full amount of debt, interest and costs so collected, and the defendant or defendants therein shall not be entitled to the benefit of the exemption laws of this commonwealth upon any execution process issued upon any judgment recovered in any such action.

ACT NO. 121.—*Payment of wages.*

SECTION 1. * * * every individual, firm, association or corporation, employing wage-workers, skilled or ordinary, laborers engaged at manual or clerical work, in the business of mining or manufacturing, or any other employés, shall make payment in lawful money of the United States to the said employés, laborers and wage-workers, or to their authorized representatives; the first payment to be made between the first and fifteenth, and the second payment between the fifteenth and thirtieth of each month, the full net amount of wages or earning due said employés, laborers and wage-workers upon the first and fifteenth instant of each and every month wherein such payments are made. And in case any individual, firm, corporation, association or other employer shall neglect or refuse to make payment, upon the dates herein set forth, to wage-workers, laborers or other employés, employed by or with the authority of such individual, firm, corporation, association or other employer, then such amount of wages or earnings shall be and become a legal claim against such individual, firm, corporation, association or other employer, and shall be recoverable by law, with interest from the date such amount is due.

ACT NO. 122.—*Notice of intention to discharge required.*

SECTION 1. * * * any individual, partnership or corporation, who or which requires from persons in his or its employ, under penalty of forfeiture of part of wages earned by them, a notice of intention to leave such employ, shall be liable to pay to the party injured a sum equal to the amount of said forfeiture, if he or it discharges, without similar notice, a person in such employ, except for incapacity or misconduct, unless in case of a general suspension of labor in his or its mine, shop or factory, or a suspension of work ordered by the employés of such individual, partnership or corporation.

SECTION 2. Suit may be brought by any person or persons interested under the provisions of the first section of this act before any of the magistrates or justices of the peace of this commonwealth having jurisdiction for the recovery of the sum or sums of money as are required to be paid by the employer or employers under the first section of this act.

ACT NO. 172.—*Employment of children.*

SECTION 1. * * * it shall be unlawful for any person, persons, firms, companies, associations or corporations, to employ any child under the age of twelve years to do any work in or about any mill, manufactory or mine in this Commonwealth.

SECTION 2. Any person, persons or corporations, who may violate this act, shall, on conviction, pay a fine of not less than twenty dollars nor more than one hundred dollars, at the discretion of the court. * * *

ACT NO. 252.—*Coöperative associations.*

SECTION 1. * * * coöperative associations, productive and distributive, may be incorporated under this act, * * * by any five or more farmers, mechanics, laborers, or other persons, who shall have associated themselves together by written articles of association, * * * for the purpose of manufacturing, cultivating, raising, trading or dealing in all kinds of goods, wares, merchandise, chattels, grain, vegetables, roots, fruits and other produce, or animals for sale, food or other purposes, or for the purpose of buying, selling, holding, leasing or improving lands, tenements or buildings; and that such persons, so associating, may adopt any corporate name, indicating their coöperative character and which has not been previously adopted by any other corporation, formed under this act: *Provided*, That the two last words of such name shall be "coöperative association", and that it shall not be lawful to use, in such name, either the words "society" or "company", and that any violation of this proviso by any corporation, formed under this act, shall render each member thereof personally liable for all its debts.

SECTION 4. The stock capital of any such association shall consist of the amounts standing to the credit of members on account of the shares allotted to them, certificates for which shall be issued, from time to time, as such shares may have become fully paid up; and there may be two classes of shares, one of which classes shall be styled and known as "permanent stock", which shall not be withdrawable but may be transferred, subject to the by-laws of such association, and each member thereof shall take and hold at least one share of said permanent stock; and the other class of shares may be styled and known as "ordinary stock", which may be repaid, transferred or withdrawn, in accordance with the by-laws of such association; and the shares of either class may be of amounts not less than five nor more than twenty-five dollars each, and may be paid for in one sum, or by periodical instalments, or by occasional subscriptions, or by the interest thereon, or by profit dividends.

SECTION 6. The amount of stock capital of such association to be taken, held or claimed at any one time by any person or persons, jointly or by partnerships, or by corporations, shall not exceed one thousand dollars, except consent therefor be voted by the members, at any regular quarterly meeting, thereof, nor shall any member, upon any subject at any meeting, be entitled to more than one vote, which shall be given in person and not by proxy, and any stock capital held by persons jointly or by partnerships, or by corporations, shall be voted upon as if held by one person only respectively, and subject to the by-laws of such association.

SECTION 7. It shall be lawful, if the by-laws so provide, for any minor to take and hold shares in or to make loans or deposits of money to or with any such association, and for such association to pay to any minor any moneys that may be due to him in respect of any such shares, loans or deposits standing in his name, and his receipt therefor shall be in all respects valid in law, but such minor shall not be eligible to hold any office in such association, though he may, subject to its by-laws, vote at any meeting of its members.

SECTION 8. Any such association may buy from, sell to and trade or deal with any of its members, or other persons partnerships or corporations, but all transactions shall be for cash, and no credit shall either be given or taken, except that such association may contract for and pay the wages and salaries of its employés once in each week in cash, and except that such association may sell

real estate, improved or otherwise, on such terms that at least one-fourth of the agreed price shall be paid in cash, at the time of sale, and that not more than three-fourths of the agreed price, together with interest on the amount of principal, interest and charges owing, from time to time, at a rate not exceeding six per centum per annum, may be secured by bond and mortgage, or by promissory notes and mortgages, and be made payable by fixed and equal periodical instalments: *Provided, however*, That such association may take or grant leases of real estate for such terms as may be agreed upon, but no such lease for any time exceeding one year, or creating a credit or liability for any sum exceeding three hundred dollars, shall be lawful or valid until the same shall be approved by a vote of the members at any regular quarterly meeting thereof: *And provided further*, That any credit given to any such association in violation of the provisions of this act shall cause a forfeiture of any credit thus illegally given, and that a notice to such effect shall be published by such association, on its letter and bill heads, advertisements and other publications.

SECTION 9. The members shall be severally and jointly liable for all debts for labor or other services of any kind performed for such association, and for any other debts lawfully incurred under the provisions of this act each of the members shall be liable to the amount of his unpaid stock capital and no more, but no suit shall be brought * * * against any member individually until a judgment be first obtained for such labor, services, or any other lawful debts against such association, and execution thereon be returned unsatisfied in whole or in part; and in case any member shall be compelled to pay any such judgment, or any part thereof beyond his *pro rata* liability therefor, he shall have the right to call upon all the members to pay their *pro rata* share of the same, or up to their *pro rata* liability therefor, and may sue them jointly or severally, or any number of them, and recover in such action the ratable amount due from the member or members so sued: *And it is hereby provided*, That stock capital to the extent of twenty-five dollars belonging to any member in such association, who is a householder and has a family, shall not be subject to attachment or execution, or liable in garnishment for his individual debts.

SECTION 10. Any such association may carry on its business, or any part thereof, at any one or more places within this state; and may take, hold, lease and convey such personal and mixed estate as may be necessary for the purposes of its organization; and may sue and be used [*sic*] in its corporate name, and may submit any matter in dispute to arbitration; and shall have a common seal, which shall not be altered or imitated, and shall bear the corporate name of, together with such device or motto as may be adopted by such association, and such seal shall be impressed upon the articles of association; and any such association may, for all and every and any of the purposes of its organization and for every and any other purpose incidental thereto, or in this act mentioned or referred to, lay out and use its capital or other moneys and property for the time being or any part thereof, with power to do, authorize and exercise all acts and powers whatsoever in the opinion of the directors of such association requisite or expedient to be done or exercised in relation thereto.

SECTION 11. Any such association may, by a majority vote of its members at any meeting specially convened therefor, authorize the directors thereof, to invest, in the name of such association, such an amount of its stock capital or reserve fund, and on such terms, as such meeting shall determine, in the stock capital if [*sic*] any other duly incorporated coöperative associations in this state, or in any other state or country, and any such association may, by a like vote permit an investment in its stock capital by any other coöperative association duly incorporated in this state, or in any other state or country: *Provided*, That the original laws of such association permit or authorize such investments.

ACT NO. 264.—*State hospital of the middle coal field.*

SECTION 1. The governor shall appoint six commissioners to select a site and build a hospital for injured persons, to be located at or near Hazelton, in the anthracite middle coal field, * * * .

SECTION 9. This hospital shall be specially devoted to the reception, care and treatment of persons injured in and about the mines, workshops and railroads, and all other laboring men: *Provided, however*, That no patient shall be admitted for treatment in said hospital to the exclusion of the classes herein stated, and who have not contracted injuries in or at the coal mines embraced within the territorial limits of the fourth inspection district of the anthracite coal fields of Pennsylvania.

ACT No. 265.—*State hospitals of the bituminous and semi-bituminous coal fields.*

SECTION 1. The governor of this commonwealth shall, * * * appoint six commissioners, * * * whose duty it shall be to select sites and erect hospitals thereon for injured persons, to be located at some points within the bituminous and semi-bituminous coal regions of the state, * * *.

SECTION 9. These hospitals shall be specially devoted to the reception, care and treatment of injured persons, and that, in the order of admission, this class shall have precedence over paying patients.

ACTS OF 1889.

ACT No. 25.—*Collectors of statistics.*

* * * * * * *

SECTION 1. The secretary of internal affairs * * * is hereby authorized and empowered to appoint two additional employés in said department, who shall be designated and known as collectors of statistics. It shall be the duty of said collectors of statistics, * * * to visit the different industries of the commonwealth, make careful and impartial inquiry into the relations existing between the employer and the employed, collect and compile statistics bearing on the social, educational and industrial condition of the laboring classes. It shall also be the duty of said collectors to gather and compile productive statistics on agriculture, mining, manufacturing, commercial and other business interests of the commonwealth * * *.

ACT No. 51.—*Labor day.*

SECTION 1. The first Monday of September in each year, * * * shall be a holiday to be known as "Labor holiday".

ACT No. 88.—*Industrial training in Pennsylvania Museum and School of Industrial Art.*

WHEREAS, the Pennsylvania Museum and School of Industrial Art is under its charter, devoted to the development of the art industries of the State, by giving practical instruction in the various branches of designing for industrial purposes and in the technical applications thereof, of the greatest importance to the manufacturers of this state, and, in particular, furnishes in its school, which is the only well-established institution of the kind in the United States, instruction in designing and in weaving the various textile materials and products, and in the dyeing and finishing of fabrics, and has in said school about two hundred pupils; and

WHEREAS, this instruction has direct bearing on not less than seventy-five million dollars' worth of textile products alone in this state and on the sixty-four thousand operatives employed about them, and it is of the utmost importance that it be maintained to the end that our own skilled artisans may enable this commonwealth to compete with the products of skilled labor abroad; and

WHEREAS, large sums of money are sent abroad and skilled foreign artisans take the place of our own citizens, in large numbers, because the latter have not the opportunity afforded them for the requisite technical education in these arts; and

WHEREAS, the said Pennsylvania Museum and School of Industrial Art is partly under the management of trustees elected by the legislature;

SECTION 1. *Be it enacted, etc.*, That the sum of twenty thousand dollars is hereby appropriated to the Pennsylvania Museum and School of Industrial Art, namely: Ten thousand dollars for the year beginning June first, one thousand eight hundred and eighty-nine, and ten thousand dollars for the year beginning June first, one thousand eight hundred and ninety, for the general maintenance of the said Pennsylvania Museum and School of Industrial Art, and any portion of the said appropriation may be used for the purchase of looms and other machinery necessary for instruction in weaving and textile designs and other arts pertaining to the industries of the state, and for increasing, as far as possible, the accommodations of the schools; * * *.

ACT No. 160.—*Examination of miners.*

SECTION 1. * * * no person whomsoever shall be employed, or engaged, in the anthracite coal region of this commonwealth as a miner in any anthracite coal mine, without having obtained a certificate of competency and qualification so to do, from the "miners' examining board" of the proper district, and having been duly registered as herein provided.

SECTION 2. There shall be established, in each of the inspection districts in the anthracite coal region, a board to be styled the "miners' examining board" * * * to consist of nine persons, who shall be appointed by the president judge of the proper county, from among the most skillful miners actually engaged in said business in their respective districts, and who must have had five years' practical experience in the same, * * *.

SECTION 3. Each of said examining boards shall designate some convenient place within their districts for the meetings of the several committees thereof, of which due notice shall be given * * *. Each of said committees shall open, at the designated place of meeting, a book of registration, in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in an anthracite coal mine. And it shall be the duty of all persons now employed as miners, or who shall hereafter desire to be so employed, to apply to said board and be registered as such within ninety days thereafter * * *.

SECTION 5. It shall be the duty of each of said boards to meet at least once every month, at such places as they may deem expedient, and examine all persons who shall desire to be employed as miners in their respective districts, and the said boards shall grant to such persons as may be qualified, certificates of competency or qualification, which shall entitle the holder thereof to be employed as, and do the work of, miners as may be expressed in the said certificate, and such certificate shall be good and sufficient evidence of registration and competency under this act, and the holder thereof shall be entitled to be registered without examination in any other of the anthracite districts * * *. All persons applying for examination for a certificate of competency, or to entitle them to be employed as miners, must produce satisfactory evidence of having had not less than two years' practical experience as a mine laborer.

SECTION 6. No person shall hereafter engage as a miner in any anthracite coal mine without having obtained such certificate as aforesaid. And no person shall employ any person as a miner who does not hold such certificate as aforesaid, and no mine foreman or superintendent shall permit or suffer any person to be employed under him, or in the mines under his charge and supervision, as a miner, who does not hold such certificate. Any person who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof, * * * shall be sentenced to pay a fine not exceeding one hundred dollars.

ACT No. 171.—*Recovery of bodies of workmen entombed in coal mines.*

SECTION 1. * * * whenever any workman or workmen * * * shall hereafter be enclosed, entombed or buried in any coal mine in this commonwealth, it shall be the duty of the court, sitting in equity, in the county wherein such workman or workmen are enclosed, entombed or buried, upon the petition of any of the relatives of those enclosed, entombed or buried, to make an order of court for the petitioner to take testimony, in order that the court may ascertain whether such workman or workmen, or the body or bodies of such workman or workmen, can be recovered or taken out of said mine. If, after full hearing, it shall appear to the court that such undertaking is feasible or practicable, said court may forthwith issue a peremptory mandamus to the owner or owners, lessee or lessees, operator or operators of such coal company, to forthwith proceed to work for and recover and take out the body or bodies of such workman or workmen, and said court shall have full authority to enforce such peremptory mandamus in the manner already provided for the enforcement of such process.

ACT No. 215.—*Chartering associations of employés.*

PREAMBLE. WHEREAS, associations of capital are incorporated and protected by the laws of this commonwealth; and

WHEREAS, associations of labor should have the same privileges; therefore,

SECTION 1. *Be it enacted, etc.*, That * * * five or more employés, at least three of whom shall be citizens of the United States, may, by their agreement and upon a compliance with the provisions of this act, form themselves into an association for their mutual aid and benefit and protection in their trade concerns.

SECTION 2. When such association is to include employés residing only in one county of this commonwealth, a petition * * * may be presented to the court of common pleas of such county; * * *.

SECTION 3. When such association is to include employés residing in more than one county of this commonwealth, an application for a charter for the same may be made to the governor * * *.

SECTION 5. An association authorized by this act, by virtue of its charter, shall have the following powers:

First. To have succession by its associated name for the period limited by its charter, and when no period is limited thereby or by this act, perpetually, subject to the power of the general assembly * * *.

Second. To maintain and defend judicial proceedings.

Third. To make and use a common seal and alter the same at pleasure.

Fourth. To purchase, hold and transfer, such real estate and personal property as the purposes of the corporation may require.

Fifth. To elect or appoint and compensate such officers or agents as the business of such association may require.

Sixth. To establish a constitution and adopt by-laws and rules, not inconsistent with law, for the management of its property and conduct and regulation of its affairs.

Seventh. To enter into any obligation necessary to the transaction of its business.

Eighth. To organize and establish, for the purposes mentioned in section one of this act, such subordinate associations of employés as shall apply therefor, under such reasonable rules, regulations and restrictions, as may by the parent association be deemed necessary.

ACT NO. 235.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. * * * no minor shall be employed at labor in factories or any manufacturing establishment or mercantile industry in this state, for a longer period than sixty hours in any week, unless for the purpose of making necessary repairs.

SECTION 2. No child under twelve years of age shall be employed in any factory, manufacturing or mercantile establishment within this state. It shall be the duty of every person so employing children to keep a register, in which shall be recorded the name, birthplace, age and place of residence of every person so employed by him under the age of sixteen years. And it shall be unlawful for any factory, manufacturing or mercantile establishment to hire or employ any child under the age of sixteen years, without there is first provided and placed on file an affidavit made by the parent or guardian, stating the age, date and place of birth of said child. If said child have no parent or guardian then said affidavit shall be made by the child, which affidavit shall be kept on file by the employer, and which said register and affidavit shall be produced for inspection on demand by the inspector or any of the deputies appointed under this act.

SECTION 3. Every person, firm or corporation employing women and children or either in any factory, manufacturing or mercantile establishment, shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours per day for each day of the week required of such persons, and in every room where children under sixteen years of age are employed a list of their names with their age.

SECTION 4. No person, firm or corporation employing less than ten persons who are women or children shall be deemed a factory, manufacturing or mercantile establishment within the meaning of this act.

ACT NO. 235.—*Factories and workshops.*

SECTION 5. The governor shall, * * * appoint with the advice and consent of the senate, a factory inspector at a salary of fifteen hundred dollars per year, whose term of office shall be three years. The said inspector shall be empowered to visit and inspect, at all reasonable hours and as often as practicable, the factories, workshops and other establishments in the state employing

women or children, where the manufacture of goods is carried on, and to report to the bureau of labor statistics of this state, on or before the thirtieth day of November of each year, the name of the factory, the number of such hands employed and the number of hours' work performed each week. It shall also be the duties of said inspector to enforce the provisions of this act and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in the state.

SECTION 7. It shall be the duty of the owner, agent or lessee of any such factory, manufacturing or mercantile establishment, where hoisting-shafts or well-holes are used, to cause the same to be properly and substantially enclosed or secured if in the opinion of the inspector it is necessary to protect the life or limbs of those employed in such establishments. It shall be the duty of the owners, agent or lessee to provide * * * such proper trap or automatic doors, so fastened in or at all elevator ways as to form a substantial surface when closed and so constructed as to open and close by action of the elevator in its passage either ascending or descending.

SECTION 8. It shall also be the duty of the owner of such factory, mercantile industry or manufacturing establishment, or his agent, superintendent or other person in charge of the same, to furnish and supply or cause to be furnished and supplied, in the discretion of the inspector, where dangerous machinery is in use, automatic shifters or other mechanical contrivance for the purpose of throwing on or off belts on pulleys. And no minor under sixteen years of age shall be allowed to clean machinery while in motion. All gearing and belting shall be provided with proper safeguard.

SECTION 9. It shall be the duty of the owner or superintendent to report, in writing, to the factory inspector all fatal accidents or serious injury done to any person employed in such factory, within forty-eight hours, stating as fully as possible the cause of such injury.

SECTION 10. A suitable and proper wash room and water-closets shall be provided for females where employed, and the water-closets used by females shall be separate and apart from those used by males, and shall be properly screened and ventilated and at all times kept in a clean condition.

SECTION 11. Not less than forty-five minutes shall be allowed for the noonday meal in any manufacturing establishment in this state. The factory inspector, his assistant or any of his deputies shall have power to issue permits in special cases, allowing a shorter meal time at noon, and such permit must be conspicuously posted in the main entrance of the establishment, and such permit may be revoked at any time the inspector deems necessary and shall only be given where good cause can be shown.

SECTION 12. If the inspector of factories find that the heating, lighting, ventilation or sanitary arrangement of any shop or factory is such as to be injurious to the health of persons employed therein, or that the means of egress in case of fire or other disaster is not sufficient or in accordance with all the requirements of law, or that the belting, shafting, gearing, elevators, drums and machinery in shops and factories are located so as to be dangerous to employés and not sufficiently guarded, or that the vats, pans or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, he shall notify the proprietor of such factory or workshop to make the alterations or additions necessary within sixty days, and if such alterations or additions are not made within sixty days from the date of such notice, or within such time as said alterations can be made with proper diligence upon the part of said proprietors, said proprietors or agents shall be deemed guilty of violating the provisions of this act.

SECTION 13. The factory inspector now or hereafter appointed under and by virtue of the provisions of this law, is hereby authorized to appoint such number of persons as in his judgment may be necessary, not exceeding six, one half of whom shall be females, who shall be known as deputy factory inspectors, either or any one of whom may be appointed to act as clerk in the main office, and whose duties it shall be to enforce the provisions of this act and of the several acts relating to factories and manufacturing establishments. The powers of said deputies shall be the same as the powers of the factory inspector, subject to the supervision and direction of the factory inspector.

SECTION 15. Said factory inspector shall have power to divide the state into districts and to assign one of said deputies to each district, and may transfer any of the deputies to other districts in case the best interests of the state require it. The inspector shall have the power of removing any of the deputy inspectors at any time.

SECTION 16. An office shall be furnished in the capitol * * * which shall be set apart for the use of the factory inspector. The factory inspector and his deputies shall have the same power to administer oaths or affirmations as is now given to notaries public, in cases where persons desire to verify documents connected with the proper enforcement of this act.

SECTION 17. Any person who violates any of the provisions of this act, or who suffers or permits any child or females to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not more than five hundred dollars.

SECTION 18. A printed copy of this act shall be posted by the inspector in each work-room of every factory, manufacturing or mercantile house where persons are employed who are affected by the provisions of this act.

RHODE ISLAND.

PUBLIC STATUTES OF 1882.

CHAPTER 97.—*Certain employments of children forbidden.*

SECTION 1. Every person having the custody or control of any child under the age of sixteen years, who shall exhibit, use or employ or shall in any manner or under any pretence sell, apprentice or give away, let out or otherwise dispose of any such child to any person in or for the vocation, occupation, service or purpose of rope or wire walking, begging or as a gymnast, contortionist, equestrian performer or acrobat, in any place whatsoever; or for or in any obscene, indecent or immoral purpose, exhibition or practice whatsoever; or for or in any business, exhibition or vocation injurious to the health or morals or dangerous to the life or limb of such child, or who shall cause, procure or encourage any such child to engage therein, shall for every such offence be imprisoned not exceeding one year or be fined not exceeding two hundred and fifty dollars, or be both fined and imprisoned as aforesaid, and shall forfeit any right which he may have to the custody of such child.

SECTION 2. Every person who shall take, receive, hire or employ, exhibit or have in custody any child under the age of sixteen years for any of the purposes prohibited in the preceding section shall be punished for every such offence in the manner therein provided.

CHAPTER 158.—*Bridges over railroads.*

SECTION 14. No bridge shall hereafter be built over any railroad track, unless it shall measure at least eighteen feet in the clear, measuring from the bottom of the lowest timber to the top of the rail on said track, excepting bridges erected in renewal or in place of bridges now existing.

CHAPTER 166.—*Earnings of married women.*

SECTION 1. The * * * personal estate * * * which may become the property of any woman after marriage, or which may be acquired by her own industry, shall be absolutely secured to her sole and separate use; * * *.

CHAPTER 169.—*Hours of labor.*

SECTION 26. Labor performed in any manufacturing establishment, and all mechanical labor, during the period of ten hours in any one day, shall be considered a legal day's work, unless otherwise agreed by the parties to the contract for the same.

[*The following additional provisions, relating to the subject-matter of this chapter, were enacted by chapter 519, Acts of 1885.*]

SECTION 1. No minor under sixteen years of age, and no woman shall be employed in laboring in any manufacturing establishment more than ten hours in any day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty in a week. Every employer shall post in a conspicuous place in every room where such persons are employed, a printed notice stating the number of hour's work required of them on each day of the week; and the employment of any such person

for a longer time in any day than so stated, shall be deemed a violation of this section, unless it appears that such employment is to make up for time lost on some previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment.

SECTION 2. Every person who wilfully employs, or has in his employment, or under his charge any person, in violation of the provisions of the preceding section, and every parent or guardian who permits any such minor to be so employed, shall be fined not exceeding twenty dollars for each offence. A certificate of the age of a minor, made by him or by his parent or guardian, at the time of his employment in a manufacturing establishment, shall be conclusive evidence of his age upon any trial of any person other than the parent or guardian for a violation of the preceding section. * * *

CHAPTER 209.—*Exemption from execution, etc.—Personal property.*

SECTION 4. The following goods and property shall be exempted from attachment on any warrant of distress or any other writ, original, mesne or judicial:

1. The necessary wearing apparel of a debtor or of his family, if he have a family.
2. The working tools of a debtor necessary in his or her usual occupation, not exceeding in value the sum of two hundred dollars.
3. The household furniture and family stores of a housekeeper, in the whole, including beds and bedding, not exceeding in value the sum of three hundred dollars.
4. The Bibles, school-books and other books in use in the family, not exceeding in value the sum of three hundred dollars.
5. One cow and one and a half tons of hay of a housekeeper.
6. One hog and one pig and the pork of the same, when slaughtered, of a housekeeper.
7. The uniform, arms, ammunition and equipment of every officer, non-commissioned officer and private in the militia, and the arms, ammunition and equipments of any person which are kept for use and not for sale.
8. The debtor's interest in one pew in any church or meeting-house in which he or his family usually worship.
9. The debtor's interest in one lot or right of burial, as the case may be, in any cemetery.
10. Wages due or accruing to any seaman.
11. Debt secured by bills of exchange or negotiable promissory notes.
12. The salary or wages due or payable to any debtor not exceeding the sum of ten dollars, except when the cause of action is for necessaries furnished the defendant.
13. The salary and wages of the wife and of the minor children of any debtor.

CHAPTER 237.—*Wages preferred—In assignments.*

SECTION 14, (as amended by chapter 497, acts of 1885). No assignment hereafter made for the benefit of creditors shall give to any one creditor any preference over the claims of any other creditor, except the creditor be the United States or the state of Rhode Island, or for the wages of labor performed within six months previous to such assignment, not exceeding one hundred dollars to any one person, which claims shall be paid in full if sufficient, whether such preference be expressed or not: *Provided, however*, That the expenses of executing the assignment shall first be paid out of the estate.

CHAPTER 241.—*Intimidation of employés.*

SECTION 8. Every person who, by himself or in concert with other persons, shall attempt by force, violence, threats or intimidation of any kind to prevent, or who shall prevent any other person from entering upon and pursuing any employment, upon such terms and conditions as he may think proper, shall be deemed guilty of a misdemeanor and be fined not exceeding one hundred dollars or be imprisoned not exceeding ninety days.

CHAPTER 242.—*Obstructing conduct of business, etc.*

SECTION 40. Every person who shall wilfully and maliciously or mischievously injure or destroy the property of another, or obstruct the use of the property of another, or obstruct another in the prosecution of his lawful business or pur-

suits, in any manner, the punishment whereof is not specially provided for by statute, shall be fined not exceeding twenty dollars or be imprisoned not exceeding three months.

CHAPTER 244.—*Sunday labor.*

SECTION 15. Every person who shall do or exercise any labor or business or work of his ordinary calling, * * * on the first day of the week, or suffer the same to be done * * * by his children, servants or apprentices, works of necessity and charity only excepted, shall be fined not exceeding five dollars for the first offense and ten dollars for the second and every subsequent offense.

SECTION 16. Every person who shall employ, improve, set to work, or encourage the servant of any other person to commit any act named in the preceding section shall suffer the like punishment.

SECTION 17. All complaints for violations of the provisions of the preceding two sections shall be made within ten days after the committing thereof and not afterwards.

SECTION 18. Every professor of the Sabbatarian faith or of the Jewish religion, and such others as shall be owned or acknowledged by any church or society of said respective professions as members of or as belonging to such church or society, shall be permitted to labor in their respective professions or vocations on the first day of the week, but the exception in this section contained shall not confer the liberty of opening shops or stores on the said day for the purpose of trade and merchandise, or lading, unlading or of fitting out of vessels, or of working at the smith's business or any other mechanical trade in any compact place, except the compact villages in Westerly and Hopkinton, or of drawing seines or fishing or fowling in any manner in public places and out of their own possessions; * * *.

CHAPTER 254.—*Convict labor.*

SECTION 10. The board [of state charities and corrections] * * * shall, in their discretion, sell the products of [the state farm, the state prison and jail in the county of Providence]; they shall make such contracts respecting the labor of the inmates of the several institutions as they may think proper, * * *.

SECTION 15. The board shall make all lawful and necessary rules and regulations for * * * the mode of employing the convicts imprisoned therein and the place of such employment within the limits of the prison yard or within any of the buildings on the prison lot or on any portion of the state farm, * * *.

ACTS OF 1884.

CHAPTER 433.—*Assignment of future earnings.*

SECTION 4, (as amended by chapter 458, acts of 1884). No assignment of future earnings * * * shall be valid except as between the parties thereto until the same has been recorded in the office of the town clerk, or of the recorder of deeds, as the case may be, of the town where the assignor resides, if a resident of this state, and if not a resident of this state in the office of the town clerk or of the recorder of deeds, as the case may be, in the town where said assignor is employed, in a book kept for that purpose.

ACTS OF 1886.

CHAPTER 571.—*Unlawful to require notice of intention to leave employ under penalty of forfeiture of wages.*

SECTION 1. Every person who requires from any person in his employ under penalty of a forfeiture of a part of the wages earned by him, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he discharges without similar notice such person in his employ, except for incapacity or misconduct, unless in case of a general or partial suspension of labor in his business.

ACTS OF 1887.

CHAPTER 621.—*Industrial statistics.*

SECTION 1. The governor shall * * * biennially * * * appoint some suitable person to be commissioner of industrial statistics who shall be *ex officio* superintendent of the census of the state and shall * * * collect, arrange, tabulate and publish in a report by him to be made to the general assembly annually in January, the facts and statistical details in relation to the condition of labor and business in all mechanical, manufacturing, commercial and other industrial business of the state, and especially in relation to the social, educational and sanitary condition of the laboring classes, with such suggestions as he may deem to be proper for the improvement of their condition and the bettering of their advantages for intellectual and moral instruction, together with such other information as he may deem to be useful to the general assembly in the proper performance of its legislative duties in reference to the subjects in regard to which he is required to report.

SECTION 2. Every employer of labor and every person engaged in any industrial pursuit shall give the commissioner of industrial statistics all proper and necessary information to enable him to perform the duties herein required of him, and in default thereof, upon reasonable demand, shall be fined twenty dollars.

CHAPTER 649.—*Employment of children.*

SECTION 5. No child under 10 years of age shall be employed in any manufacturing, mechanical or mercantile establishment, or by any telegraph or telephone company in this state, during the time that the public schools of the town or city in which said child may reside are in session, and any parent or guardian who permits such employments shall for every such offence be fined not exceeding twenty dollars.

SECTION 6. No child between the ages of 10 and 15 years shall be so employed except during the vacations of the public schools of the town or district in which such child resides, unless during the twelve months next preceding such employment he shall have attended school as provided for in section 1 of this act [viz., twelve weeks, of which at least six weeks shall be consecutive,] or shall have already acquired the elementary branches of learning taught in the public schools, or shall have been excused by the school committee of the town in which such child resides, nor shall such employment continue unless such child shall attend school as above provided each year, or until he shall have acquired the elementary branches of learning taught in the public schools, and no child shall be so employed who does not present a certificate made by or under the direction of said school committee of his compliance with the requirements of this section.

SECTION 7. Every owner, superintendent or overseer of any establishment named in section 5 of this act shall require and keep on file a certificate of the place and date of birth of every child under fifteen years of age employed therein, as nearly accurate as may be, so long as such child is so employed, which certificate shall also state, in the case of a child under fifteen years of age, the amount of his school attendance during the year next preceding such employment. The certificates herein mentioned shall be signed by a member of the school committee of the town or city where such attendance was had, or by someone authorized by such committee, and the form of said certificate shall be furnished by the secretary of the state board of education.

SECTION 8. Every owner, superintendent or overseer of any such establishment or company who employs or permits to be employed any child in violation of either of the two next preceding sections, and every parent or guardian who permits such employment shall be fined not exceeding twenty dollars.

SECTION 9. The truant officers shall at least once in every school term, and as often as the school committee require, visit the establishments described in section 5 of this act, in their respective towns and cities, and ascertain whether the provisions of the four next preceding sections hereof are duly observed, and report all violations thereof to the school committee.

SECTION 10. The truant officers shall demand the names of the children under fifteen years of age employed in such establishments or company in their respective towns and cities, and shall require the certificates of age and school attendance prescribed in section 7 of this act to be produced for their inspection, and

a refusal to produce such certificates shall be punished by a fine not exceeding ten dollars.

SECTION 11. Every owner, superintendent, or overseer of any such establishment or company who employs or permits to be employed therein, a child under fifteen years of age who can not write his name, age and place of residence legibly, while the public schools in the town or city where such child lives are in session, shall for every such offense be fined not exceeding twenty dollars.

ACTS OF 1890.

CHAPTER 826.—*Fire escapes on factories, etc.*

SECTION 1. Every building three or more stories in height, * * * used wholly or in part as a * * *, factory or workshop in which employés are usually working in the third or any higher story thereof * * *, shall be provided by the owner or owners thereof either with proper and sufficient strong and durable metallic fire escapes upon the external walls, sufficient in number, which fire escapes shall extend from the highest occupied story to the top of the first story of said building, or with proper and sufficient incombustible stairs and stairways at opposite ends of the building, extending from the highest occupied story to the ground; said stairs and stairway shall be connected by open passageways of suitable width; said fire escapes, stairs and stairways to be suitable and sufficient to afford to persons within said building proper egress from said building in case of fire therein, and to be kept in repair by said owner or owners.

SECTION 3. It shall be the duty of the inspector of buildings * * *, within sixty days after their appointment and from time to time thereafter as may be necessary, to make a careful and thorough inspection of all buildings in the city or town for which they shall be elected, which in their opinion might, by reason of the height thereof, character or number of stairways, number of persons ordinarily therein or at work therein, nature of use of said buildings, nature of the industries or occupations carried on therein, or for any other reason be specially dangerous to persons therein in case of conflagration in said buildings.

SECTION 4. In case any other building * * *, in the opinion of the inspector * * *, shall require fire escapes or stairs and stairways as hereinbefore provided, said inspector shall in writing notify and require the owner or owners thereof, within sixty days from the receipt of said notice, to provide said building with such fire escapes or stairs and stairways, and in such case it shall be the duty of said owner or owners to comply with said notice. Said inspector shall deposit with the city or town clerk for said town or city a true and certified copy of such notice, to be kept on file by said town or city clerk.

SECTION 5. Said inspectors of buildings shall have power * * *, to exempt by written certificate, setting forth the reasons therefor any building from the provisions of this act * * *.

SECTION 7. The owner or owners of any building or premises under lease * * * may enter upon such leased building * * *, with the purpose of making said building comply with the provisions of this act, * * * interfering with the lessee no more than may be necessary.

SECTION 8. In all cases in which any person shall suffer injury or in which the death of any person shall ensue in consequence of the failure of the owner or owners of any building to provide the same with fire escapes or stairs and stairways, as required by the provisions of this act, or in consequence of the failure of said owner or owners to comply with the written notice and requirement of any inspector of buildings, when made in conformity to the provisions of this act, such owner or owners shall be jointly and severally liable to any person so injured in an action of trespass on the case, for damages for such injury; and in case of death such owner or owners shall be jointly and severally liable in damages for the injury caused by the death of such person, to be recovered by action of trespass on the case, * * *. It shall be no defense to said actions that the person injured, or whose death ensued, as aforesaid, had knowledge that any such building was not provided with fire escapes or stairs and stairways * * *, or that such person continued to work in or occupy such building with said knowledge.

SECTION 9. The owner or owners of any building, or in case such owner or any of them be *non compos* or a minor, the guardian of any such owner, or in case such owner or any of them be a nonresident, the agent of any such owner having charge of such property who shall neglect or fail to comply with the provisions of this act shall be fined not less than one hundred dollars nor more than five hundred dollars. * * *

SOUTH CAROLINA.

CONSTITUTION.

ARTICLE I.—*Exemption from execution, etc.—Homesteads.*

SECTION 20. * * * A reasonable amount of property, as a homestead, shall be exempted from seizure or sale for the payment of any debts or liabilities. * * *

ARTICLE II.—*Exemptions from execution, etc.*

SECTION 32, (as amended). The general assembly shall enact such laws as will exempt from attachment and sale under any mesne or final process issued from any court to the head of any family residing in this state a homestead in lands, whether held in fee or any lesser estate, not to exceed in value one thousand dollars, with the yearly products thereof; and every head of a family residing in this state, whether entitled to a homestead exemption in lands or not, personal property not to exceed in value the sum of five hundred dollars: * * * *Provided*, That no property shall be exempt from attachment, levy, or sale for taxes, or for payment of obligations contracted for the purchase of said homestead or the erection of improvements thereon: *Provided further*, That the yearly products of said homestead shall not be exempt from attachment, levy or sale, for the payment of obligations contracted in the production of the same. * * *

GENERAL STATUTES OF 1882.

CHAPTER 11.—*Exemptions from taxation.*

SECTION 169. The following property shall be exempt from taxation, to wit:

* * * * * * *

20th. All the wearing apparel of the person required to make return, and his family.

21st. Articles actually provided for the present subsistence of the person or his family, to the value of one hundred dollars.

CHAPTER 39.—*Charters for corporations.*

SECTION 1376. Charters for * * * labor, agricultural, manufacturing, industrial, mining, or other like societies and companies, shall be granted by the clerk of the court of the county wherein the applicants therefor reside, or propose to carry on business, or hold property. * * *

CHAPTER 40.—*Sunday labor—Railroads.*

SECTION 1475. It shall be unlawful for any railroad corporation owning or controlling railroads operating in this state, to load or unload or permit to be loaded or unloaded, or to run or permit to be run, on Sunday, any locomotive, cars, or train of cars, moved by steam power, except as hereinafter provided, and except to unload cars loaded with animals.

SECTION 1477. It shall be lawful for any train running by a schedule in conformity with the provisions of this chapter, but delayed by accident or other unavoidable circumstance, to be run until it reaches the point at which it is usual for it to rest upon a Sunday.

SECTION 1478. For a wilful violation of the provisions of sections 1475, 1476, and 1477 of this chapter, the railroad company so offending shall forfeit to the state five hundred dollars, to be collected in any court of competent jurisdiction.

CHAPTER 49.—*Sunday labor.*

SECTION 1631. No tradesman, artificer, laborer, or other person whatsoever, shall do or exercise any worldly labor, business, or work of their ordinary callings upon the Lord's day, (commonly called the Sabbath,) or any part thereof, (works of necessity or charity only excepted;) and every person, being of the

age of fifteen years or upwards, offending in the premises, shall, for every such offence, forfeit the sum of one dollar.

SECTION 1632. No person or persons whatsoever shall publicly cry, show forth, or expose to sale, any wares, merchandise, fruit, herbs, goods, or chattels whatsoever, upon the Lord's Day, or any part thereof, upon pain that every person so offending shall forfeit the same goods so cried, or showed forth, or exposed to sale.

CHAPTER 71.—*Exemption from execution, etc.—Homesteads.*

SECTION 1994. A homestead in lands, whether held in fee or any lesser estate, not to exceed in value one thousand (1,000) dollars, with the yearly products thereof, shall be exempt to the head of every family residing in this state from attachment, levy, or sale, in any mesne or final process issued from any court upon any judgment obtained upon any right of action arising subsequent to the ratification of the constitution of the state of South Carolina. * * *

SECTION 1997. If the husband be dead, the widow and children, if the father and mother be dead, the children living on the homestead, whether any or all such children be minors or not, shall be entitled to have the family homestead exempted in like manner as if the husband or parents were living; and the homestead so exempted shall be subject to partition among all the children of the head of the family in like manner as if no debts existed: *Provided*, That no partition or sale in that case shall be made until the youngest child becomes of age, unless, upon proof satisfactory to the court hearing the case, such sale is deemed best for the interest of such minor or minors.

CHAPTER 71.—*Exemption from execution, etc.—Personal property.*

SECTION 1999. The personal property of the head of any family residing in this state to the extent of five hundred dollars shall be exempt from attachment, levy, or sale: *Provided*, That in case the right of such exemption be disputed by the creditors, the officer in whose hands the process is lodged shall cause the same to be ascertained and appraised; and all exempted property so ascertained and appraised by appraisers appointed and sworn for that purpose, and the return of which has been duly made, filed, and recorded, as provided in the first two sections of this chapter, shall vest absolutely in the party freed from all debts of the debtors then existing, or thereafter contracted, whether such debtors retain or sell the property: *Provided, further*, That a debtor being the head of a family, as hereinbefore stated, and not being the owner of any homestead, shall be entitled to a like exemption of personal property as herein allowed to the owner of a homestead, to be ascertained in the same manner.

CHAPTER 78.—*Contracts with, employment and payment of wages of, laborers.*

SECTION 2081. All contracts made between owners of land, their agents, administrators, or executors, and laborers, shall be witnessed by one or more disinterested persons, and, at the request of either party, be duly executed before a trial justice, whose duty it shall be to read and explain the same to the parties. Such contracts shall clearly set forth the conditions upon which the laborer or laborers engaged to work, embracing the length of time, the amount of money to be paid, and when; if it be on shares of crops, what portion of the crop or crops.

SECTION 2082. Whenever labor is performed under contract on shares of crop or crops, such crop or crops shall be gathered and divided off before it is removed from the place where it was planted, harvested, or gathered. Such division to be made by a disinterested person, when desired by either party to the contract. And such disintested party shall be chosen by and with the consent of the contracting parties; whenever the parties fail to agree upon any disinterested party, or, if complaint is made that the division has been unfairly made, within ten days after such division, it shall be the duty of the trial justice residing nearest the place where such crop or crops are planted, harvested, or gathered, to cause, under his immediate supervision, such equitable division as may be stipulated in the contract. Such disinterested party or trial justice shall receive reasonable compensation for such service, to be paid by both of the contracting parties, according to their several interests, except in cases of an attempt to wilfully defraud the other by one of the contracting parties; and then such compensation shall be paid by the party so attempting to defraud the other. When such division has been made, each party shall be free to dispose of their several portions as to him or her or them may seem fitting: *Provided*, That if either party be in debt to the other for any obligation incurred under contract, the amount of said indebtedness may be then and there settled and paid by such

portion of the share or shares of the party so indebted as may be agreed upon by the parties themselves, or set apart by the trial justice, or any party chosen to divide said crop or crops.

SECTION 2083. Whenever laborers are working on shares of crop or crops, or for wages in money, or other valuable consideration, they shall have a prior lien upon said crop or crops, in whosesoever hands it may be. Such portion of the crop or crops to them belonging, or such amount of money or other valuable consideration due, shall be recoverable by an action in any court of competent jurisdiction.

SECTION 2084, (as amended by act No. 240, acts of 1889). Whenever such contract or contracts are violated or attempted to be violated or broken, or whenever fraud is practiced or attempted to be practiced, by either party to such contract or contracts, at any time before the conditions of the same are fulfilled and the parties released therefrom, complaint may be made before a trial justice. If the offending party be the land owner or owners, his, her or their agent or agents, and fraud has been practiced or attempted to be practiced, either in keeping any account or accounts between him, her or them, and the other party or parties to such contract or contracts, or in the division of the crop or crops, or the payment of money or other valuable consideration, upon conviction such offender or offenders shall be fined in a sum not less than five dollars nor more than one hundred dollars, or be imprisoned for a period of not less than ten days nor more than thirty days; or if it be a disinterested party chosen to make a division or divisions of crops hereinbefore provided, he, she or they shall be liable to prosecution as for a misdemeanor, and on conviction shall be fined in a sum not less than five nor more than one hundred dollars, or be imprisoned for a period not less than ten days nor more than thirty days. If the offending party be a laborer, or laborers, and the offence consist either in failing, willfully and without just cause, to give the labor reasonably required of him, her or them, by the terms of each contract, or in other respects shall refuse to comply with the conditions of such contract or contracts, or shall fraudulently make use of or carry away from the place where the crop or crops he, she or they may be working are planted any portion of said crop or crops, or anything connected therewith or belonging thereto, such person or persons so offending shall be liable to prosecution, and on conviction before any trial justice be fined in a sum not less than five dollars nor more than one hundred dollars, or be imprisoned for a period not less than ten days nor more than thirty days.

SECTION 2086. Unless otherwise provided by special contract, all persons who employ laborers upon plantations or elsewhere, by the day, week, month, or year, shall pay such laborers or employés in lawful money. Any person or persons who shall offer to any laborer or employé, at the time when the wages of such laborer or employé are due and payable by agreement * * * as compensation for labor and services performed, checks and scrip of any description, known as plantation checks, payable at some future time, or in the shops or stores of employers, in lieu of lawful money, shall be liable to indictment and punishment, by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or both, according to the discretion of the court: *Provided*, The word "checks" in this chapter shall not be construed so as to prohibit the giving of checks upon any of the authorized banks of deposit or issue in this State.

CHAPTER 95.—*Conditional sale of personal property.*

SECTION 2347. In all bills of sale of any plate, gold and silver, or goods and chattels whatsoever, by way of mortgage, with right of redemption upon performance of the proviso in said bill of sale, where the plate, gold and silver, or goods and chattels, are actually delivered unto the person to whom such bill of sale is made, and are in his actual possession, (and not a delivery or seizin in form of law only), and shall continue in the same for the space of two years after the breach of the proviso in the said bill of sale, without redemption thereof, the said goods or chattels so sold and delivered and possessed as aforesaid, though with right or equity of redemption, are hereby declared to be vested in the said person or persons to whom such bill of sale was made, and their executors, administrators, and assigns, to have and to hold to them, their executors, administrators, and assigns, as their own proper goods and chattels forever; excepting such person or persons having such right or equity of redemption be beyond the seas, or otherwise out of the limits of this state, all which persons shall have saved to them their equity of redemption, so as they prosecute the same within three years after the breach of the proviso of the bill of sale, and at no time thereafter.

CHAPTER 100.—*Enticing employés.*

SECTION 2479. Any person who shall entice or persuade, by any means whatsoever, any tenant, servant, laborer under contract with another, duly entered into between the parties in the presence of one or more witnesses, whether such contract be verbal or in writing, to violate such contract, or shall employ any laborer, knowing such laborer to be under contract with another, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than thirty days.

CHAPTER 103.—*Protection of employés as voters.*

SECTION 2552. Whoever shall * * * because of political opinions or the exercise of political rights and privileges guaranteed to every citizen of the United States by the Constitution and laws thereof, or by the constitution and laws of this state, * * * discharge [any] citizen from employment or occupation, * * * such person shall be deemed guilty of a misdemeanor, and, on conviction thereof, be fined not less than fifty or more than one thousand dollars, or be imprisoned not less than three months or more than one year, or both, at the discretion of the court.

CHAPTER 118.—*Convict labor.*

SECTION 2729. The board of directors of the penitentiary are hereby authorized and empowered to lease or hire out any convicts in the penitentiary, except convicts under sentence for murder, rape, arson, and manslaughter * * *.

SECTION 2730. * * * Convicts * * * shall not be required to labor more than ten hours a day, or on Sundays or holidays.

CODE OF CIVIL PROCEDURE.

PART II.

TITLE 9.—*Exemption from execution, etc.—Wages.*

SECTION 317. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person, or due to the judgment debtor, to be applied towards the satisfaction of the judgment; except that the earnings of the debtor for his personal services, at any time within sixty days next preceding the order, can not be so applied, when it is made to appear, by the debtor's affidavit or otherwise, that such earnings are necessary for the use of a family supported wholly or partly by his labor.

ACTS OF 1885.

ACT NO. 44.—*Convict labor.*

SECTION 2. That the superintendent and board of directors of the penitentiary be, and they hereby are, authorized to make contracts for the performance of specific work, such work to be done entirely under the control and direction of the officers of the penitentiary. Also to hire out convicts. * * *

ACT NO. 64.—*Convict labor.*

SECTION 1. * * * All courts and municipal authorities which, under existing laws, have power to sentence convicts to confinement in prisons, may, within their discretion, impose the condition of hard labor for a period not exceeding ninety days.

SECTION 2. All convicts so sentenced to hard labor and confinement may * * * be required to perform hard labor upon the public highways, roads, bridges and other public works of the county in which the offence of which they are convicted was committed, or upon the streets or other public works within the limits of the incorporated cities, towns and villages in which the offence for which they are sentenced was committed.

ACT OF 1888.

ACT No. 16.—*Convict labor.*

SECTION 3. The board of directors of the state penitentiary * * * are hereby instructed as far as practicable, in hiring out or working the convicts, to hire or work the same upon farms in healthy locations and which are exempt from danger of overflow.

ACTS OF 1889.

ACT No. 195.—*Convict labor.*

SECTION 1. The board of directors of the state penitentiary be, and are hereby, authorized and empowered to purchase, out of the surplus earnings of the penitentiary a suitable farm or farms to be worked and planted by convicts under the superintendence of said board of directors * * *.

SECTION 2. No contracts for the hiring or leasing of convicts to be employed in phosphate mining shall hereafter be made by said board of directors.

ACTS OF 1890.

ACT No. 448.—*Convict labor.*

SECTION 1. * * * The board of directors of the South Carolina penitentiary are hereby authorized and required, upon the order of the board of trustees of Clemson Agricultural College, signed by their president and secretary, to furnish to the said board of trustees able-bodied convicts not to exceed one hundred in number at any one time in addition to those now furnished. In selecting such convicts, care shall be taken to send such as have most skill in brick making, carpentering and blacksmithing * * *.

[*Note.*—Convict labor: A number of acts have been enacted from time to time authorizing the superintendent or board of directors of the South Carolina penitentiary to detail a certain number of able-bodied convicts to work on public works such as canals, the state-house building and grounds, etc. It is not thought necessary to give these acts in full.]

SOUTH DAKOTA.

CONSTITUTION.

ARTICLE 11.—*Exemption from taxation.*

SECTION 6. The legislature shall, by general law, exempt from taxation, * * * personal property to any amount not exceeding in value $200, for each individual liable to taxation.

ARTICLE 21.—*Exemption from execution, etc.*

SECTION 4. The right of the debtor to enjoy the comforts and necessaries of life shall be recognized by wholesome laws; exempting from forced sale a homestead, the value of which shall be limited and defined by law, to all heads of families, and a reasonable amount of personal property, the kind and value of which to be fixed by general laws.

ARTICLE 21.—*Earnings of married women.*

SECTION 5. * * * All property to which [a woman] may after marriage become in any manner rightfully entitled, shall be her separate property, and shall not be liable for the debts of her husband.

REVISED CODES OF 1883.

CODE OF CIVIL PROCEDURE.

CHAPTER 13.—*Exemptions from execution, etc.*

SECTION 322. Except as hereinafter provided, the property mentioned under this heading is exempt from attachment or *mesne* process, and from levy and sale on execution, and from any other final process issued from any court.

SECTION 323, (as amended by chapter 86, acts of 1890). The property mentioned in this section is absolutely exempt from all such process, levy or sale:

1. All family pictures.
2. A pew or other sitting in any house of worship.
3. A lot or lots in any burial ground.
4. The family bible and all school books used by the family, and all other books used as a part of the family library, not exceeding in value two hundred dollars.
5. All wearing apparel and clothing of the debtor and his family.
6. The provisions for the debtor and his family necessary for one year's supply, either provided or growing, or both, and fuel necessary for one year.
7. To all heads of families, a homestead containing not to exceed 160 acres of land, with the improvements thereon, which land and improvement thereon shall not exceed $5,000 in value; or a house and lot or lots in any town or city, not exceeding one acre of ground, which lot or lots and improvements shall not exceed $5,000 in value, to be selected by the debtor or his agent or attorney: * * * .

SECTION 324, (as amended by chapter 86, acts of 1890). In addition to the property mentioned in the preceding section the debtor, if the head of a family, may, by himself or his agent or attorney, select from all other of his personal property not absolutely exempt goods, chattels, merchandise, money or other personal property, not to exceed in the aggregate seven hundred and fifty dollars in value; and if a single person, not the head of a family, property as aforesaid of the value of three hundred dollars, which is also exempt, * * * .

SECTION 325, (as amended by chapter 86, acts of 1890). Instead of the exemption granted in the preceding sections, the debtor, if the head of a family, may select and choose the following property, which shall then be exempt, namely;

First. All miscellaneous books and musical instruments for the use of the family, not exceeding two hundred dollars in value.

Second. All household and kitchen furniture, including beds, bedsteads and bedding, used by the debtor and his family, not exceeding two hundred dollars in value; but in case the debtor shall own more than two hundred dollars worth of such property, he must select therefrom such articles to the value of two hundred dollars, leaving the remainder subject to legal process.

Third. Two cows, five swine, two yoke of oxen, or one span of horses or mules, twenty-five sheep and their lambs under six months old, and all wool of the same, and all cloth or yarn manufactured therefrom, the necessary food for the animals hereinbefore mentioned for one year, either provided or growing, or both, as the debtor may choose; also one wagon, one sleigh, two plows, one harrow, and farming machinery and utensils, including tackle for teams, not exceeding twelve hundred and fifty dollars in value.

Fourth. The tools and implements of any machine [mechanic] whether a minor or of age, used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade not exceeding two hundred dollars in value. The library and instruments of any professional person, not exceeding three hundred dollars in value.

SECTION 332. Nothing in this chapter shall be so construed as to exempt any personal property from execution for laborers' or mechanics' wages, or physicians' bills, except that absolutely exempt: *Provided, however*, That a physician, in order to be entitled to the benefits of this act, must be a physician who has graduated at some reputable school of medicine, either of the United States or some foreign country, or who can produce a certificate of qualification from some state or territorial medical society, or who has been continuously engaged in the practice of medicine for a period of 10 years or more: *Provided*, That in case of physicians' bills there shall also be exempt household and kitchen furniture, including stoves of the debtor, to an amount not exceeding four hundred

dollars and also two cows: *Provided, however*, That this shall not apply to physicians' bills contracted before the passage of this act: *And further provided*, That the collection of physicians' bills shall not be enforced by legal process in less than six (6) months from the accruing thereof, except when the debtor is about to remove from the territory:

CHAPTER 14.—*Exemption from execution, etc.—Wages.*

SECTION 371. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person, or due the judgment debtor, to be applied towards the satisfaction of the judgment: except that the earnings of the debtor for his personal services, at any time within sixty days next preceding the order, can not be so applied, when it is made to appear by the debtor's affidavit or otherwise that such earnings are necessary for the use of a family supported wholly or partly by his labor.

POLITICAL CODE.

CHAPTER 38.—*Exemption from execution, etc.—Homesteads.*

SECTION 1. The homestead of every family resident in this [territory] as hereinafter defined, whether such homestead be owned by the husband or wife, so long as it continues to possess the character of a homestead, shall be exempt from judicial sale, from judgment lien, and from all mesne or final process issued from any court.

SECTION 2. A widow or widower, though without children, shall be deemed a family while continuing to occupy the house used as such at the time of the death of the husband or wife.

SECTION 4. The homestead shall be liable for taxes accruing thereon, and * * *, shall be liable only for such taxes, and shall be subject to mechanic's lien for work, labor, or material, done or furnished exclusively for the improvement of the same, and the whole or a sufficient portion thereof may be sold to pay the same.

SECTION 5. The homestead may be sold for any debt created for the purchase thereof.

SECTION 6. The homestead must embrace the house used as a home by the owner thereof, and if he or she has two or more houses thus used at different times and places, such owner may select which he or she will retain as a homestead.

SECTION 8, (as amended by chapter 65, acts of 1885). If within a town plat it must not exceed one acre in extent, and if not within a town plat it must not embrace in the aggregate more than one hundred and sixty acres. If the homestead is claimed upon any land, the title or right of possession to which was acquired or claimed under the laws of the United States relating to mineral lands, then the area of the homestead shall not exceed one acre, whether within or without a town plat.

APPENDIX.

CHAPTER 53, PART 1.—*Convict labor.*

SECTION 35. All convicts sentenced to punishment of hard labor in said prison [penitentiary at Sioux Falls] shall be constantly employed for the benefit of the territory. * * *

SECTION 44. If the warden shall at any time deem it for the interest of the territory, he may employ the convicts outside the prison yard in quarrying or getting stone from and in cultivating the prison farm, or in doing any work necessary to be done in the prosecution of the regular business of the institution; * * *.

SECTION 53. The warden is authorized and empowered, by and with the advice and approval of the board of directors of said prison, to lease from time to time the labor of such portion of the prisoners confined therein, together with such shoproom, machinery, and power as may be necessary for their proper employment, to such persons, for such purposes, upon such terms and conditions, and for such length of time, not exceeding five years at any one time, as he shall deem most conducive to the interests of the territory and the welfare of the prisoners.

SECTION 54. In every contract made pursuant to the authority herein conferred there shall be reserved to the board of directors of said prison and to the warden, and each and every of his subordinates, full power and authority to prevent the demanding or imposition of unusual or severe labor, or labor whereby the health or safety of the convicts may be impaired or jeopardized; * * *.

SECTION 58. Before entering into any contract for the leasing of convict labor, the warden shall, by public advertisement, invite sealed proposals for the hiring of such labor, shoproom, machinery, and power. * * *

CIVIL CODE.

Earnings of married women.

(Page 753.)

SECTION 83. * * * The earnings of the wife are not liable for the debts of the husband, and the earnings and accumulations of the wife, and of her minor children living with her, or in her custody, while she is living separate from her husband, are the separate property of the wife.

Corporations—Liability of stockholders for debts due employés.

(Page 858.)

SECTION 514. The stockholders of any corporation [for mining, manufacturing and other industrial pursuits] * * * shall be jointly and severally liable, in their individual capacities, for all debts due to mechanics, workmen, and laborers employed by such corporation, which said liability may be enforced against any stockholders by an action at any time after an execution against such corporation shall be returned not satisfied: *Provided*, Such action be commenced within four months: * * *.

PENAL CODE.

CHAPTER 4.—*Sunday labor.*

SECTION 42. All manner of servile labor, on the first day of the week, is prohibited, excepting works of necessity or charity.

SECTION 44. It is a sufficient defense in proceedings for servile labor * * * on the first day of the week to show that the accused uniformly keeps another day of the week as holy time, and does not labor * * * upon that day, and that the labor complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week as holy time.

SECTION 46. All trades, manufactures, and mechanical employments, on the first day of the week, are prohibited.

SECTION 49. Every person guilty of Sabbath-breaking is punishable by a fine of one dollar for each offence.

CHAPTER 57.—*Intimidation of employers and employés.*

SECTION 733. Every person who, by any use of force, threats, or intimidation, prevents, or endeavors to prevent, any hired foreman, journeyman, apprentice, workman, laborer, servant, or other person employed by another, from continuing or performing his work, or from accepting any new work or employment, or to induce such hired person to relinquish his work or employment, or to return any work he has in hand before it is finished, is guilty of a misdemeanor.

SECTION 734. Every person who, by any use of force, threats, or intimidation, prevents or endeavors to prevent another from employing any person, or to compel another to employ any person, or to force or induce another to alter his mode of carrying on business, or to limit or increase the number of his hired foremen, journeymen, apprentices, workmen, laborers, servants, or other persons employed by him, or their rate of wages, or time of service, is guilty of a misdemeanor.

CHAPTER 57.—*Employment, hours of labor, etc., of women and children.*

SECTION 739. Every owner, stockholder, overseer, employer, clerk, or foreman of any manufactory, workshop, or other place used for mechanical or manufacturing purposes, who, having control, shall compel any woman or any child under eighteen years of age, or permit any child under fourteen years of age, to labor in any day exceeding ten hours, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding one hundred and not less than ten dollars.

TERRITORIAL ACTS OF 1887.

CHAPTER 54.—*Factories and workshops.*

SECTION 1. All doors of ingress and egress in all public buildings * * * in this territory, including * * * , factories * * * and all other buildings wherein numbers of persons are employed, * * * shall be so constructed as to open and swing outward, and doorways shall not be less than four feet in width, with proper landings and stairways of at least equal width.

SECTION 2. It shall be the duty of all persons owning or having charge of such buildings, * * * to comply with the provisions of this act within six months after the same shall take effect; * * * .

SECTION 3. Any person or persons failing to comply with the provisions of this act, or who shall build, maintain, or permit to be used, any such building, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor.

SECTION 4. All factories, * * * which are two or more stories in height, shall be provided by the owners thereof with two or more fire escapes, placed within easy access of the occupants of said building.

CHAPTER 205.—*Discharged soldiers and sailors preferred in employment on public works.*

SECTION 1. In every public department and upon all public works of the territory of Dakota, and of the cities, towns and villages thereof, honorably discharged Union soldiers and sailors of the late war shall be preferred for appointment; age, loss of limb or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them; *Provided*, They possess the requisite qualifications and business capacity necessary to discharge the duties of the position involved.

ACTS OF 1890.

CHAPTER 11.—*Convict labor.*

SECTION 1. There [shall] be appropriated * * * to purchase suitable machinery, derricks, tools and appliances and to hire such skilled labor, under the supervision of the warden, as is necessary to have developed and worked by the convicts, the undeveloped stone quarries belonging to the state and situated upon the penitentiary grounds at Sioux Falls.

CHAPTER 25.—*Exemption from taxation.*

SECTION 1. Definitions of property exempt from taxation:

* * * * * * *

Fourth. One lot in a cemetery for family use.

Fifth. Personal property of any individual liable to taxation and resident of this state to the amount and value of two hundred dollars.

CHAPTER 33.—*Bureau of labor statistics.*

SECTION 1. There is hereby created a bureau of labor statistics, to be under the control and management of a commissioner thereof, to be appointed as hereinafter provided by this act.

SECTION 2. At each general election held in the state there shall be elected one suitable person, who shall be designated the commissioner of labor, and who shall hold his office for the term of two years: *Provided*, That until his successor is duly elected and qualified the governor shall appoint a suitable person to fill the office.

SECTION 3. The duties of such commissioner shall be to collect, assort, systematize and present in biennial reports to the governor at least sixty days before the assembling of the state legislature statistical details relating to all departments of labor in the state, especially in relation to the commercial, industrial, social and sanitary condition of the working people, and to the productive industries of the state.

SECTION 4. Said commissioner shall also have power to send for persons and papers, to examine witnesses under oath, to take depositions, to cause them to be taken by others by law authorized to take depositions, and said commissioner may depute any uninterested person to serve subpœnas upon witnesses, who shall be summoned in the same manner and paid the same fees as witnesses before a county court. And any person, or owner, operator, manager or lessee, of any factory, workshop, warehouse, elevator, foundry, machine shop, or other establishment, or any agent or employé of such owner, operator, manager, or lessee, who shall refuse to said commissioner admission therein for the purpose of inspection, or who shall, when requested by him, neglect or refuse to furnish to him any statistics or other information relative to his lawful duties which may be in their possession (or) under their control, or who shall neglect or refuse for thirty days to answer questions by circular or upon personal application, or who shal answer any such questions untruthfully, or who shall refuse to obey the subpœnas and give testimony according to the provisions of this act, shall, for every such neglect or refusal, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars.

SECTION 5. Said commissioner may be removed from office by the governor for neglect of duty or malfeasance in office, and any vacancy occurring at any time may be filled by the governor.

CHAPTER 86.—*Exemption from execution, etc.—Life insurance money.*

SECTION 4. All moneys received by a widow or children for insurance upon the life of any person who, when living, was the head of a family, shall forever be exempt from levy and execution.

CHAPTER 105.—*Territorial laws in force in state.*

SECTION 1. All laws, in force in the territory of Dakota at the date of the admission of the state of South Dakota into the Union and not repugnant to or inconsistent with the constitution of said state, shall continue and be in full force and effect until altered, amended or repealed.

CHAPTER 112.—*Mine regulations and inspection.*

SECTION 1. The office of inspector of mines of South Dakota be, and the same is, hereby created.

SECTION 2. The governor, by and with the consent and advice of the senate, shall appoint an inspector of mines, who shall be a citizen of the United States, a resident of South Dakota, not under thirty years of age, who shall be practically acquainted with mines and mining in all its branches, and whose term of office shall be for two years unless sooner removed by the governor for cause, and whose office shall be in the city of Lead City, Lawrence county, South Dakota. * * *

SECTION 6. It shall be the duty of the inspector of mines to visit, enter and examine in person any mine or piece of mining ground for the purpose of ascertaining the condition of the same in regard to its safety, ventilation and means of egress; and for this purpose he shall have access at any and all times to any mine slopes, levels, winses, tunnels, drifts, cross cuts, shafts, works and machinery, for the purpose of such inspection. *Provided, however*, That the working of such mine shall not be impeded or obstructed during such examination. *Provided, further*, That this inspection shall not be at the expense of the owner,

lessor, lessee or agent of the mine being examined; but said owners, lessor, lessee or agent shall render such assistance as may be necessary to enable the inspector to make the required examination.

SECTION 7. Whenever the inspector of mines shall receive a formal complaint in writing, signed by three or more persons, setting forth that the mine in which they are employed is dangerous in any respect, he shall in person visit and examine such mine. *Provided*, Every such formal complaint shall in all cases specifically set forth the nature of the danger existing at the mine, and shall describe with as much certainty as is possible how such danger, apparently or really, renders such mine dangerous, the time the cause of such danger was first observed; and shall distinctly set forth whether or not any notice of such danger has been given by the complainants, or any one else to their knowledge, to the superintendent of such mine; and if no such complaint has been made to such superintendent, the reason why it has not been made. After such complaint shall have been received by the inspector of mines, it shall be the duty of such inspector to serve a certified copy thereof, but without the names of the complainants, upon the superintendent, or manager, or owner of such mine, at any time before he visits the same, and, as soon as possible, to visit such mine: and if from examination he shall ascertain that the said mine is, from any cause, in a dangerous condition, he shall at once notify the owner, lessor, lessee or agent thereof; such notice to be in writing, and to be served by copy on such owner, lessor, lessee or agent in the same manner as provided by law for the serving of legal notices or process; and said notice shall state fully and in detail in what particular manner said mine is dangerous or insecure, and shall require all necessary changes to be made without delay for the purpose of making such mine safe for the laborers employed therein; and in case of any criminal or civil procedure at law against the party or parties so notified, on account of loss of life or bodily injury sustained by any employé subsequent to such notice, and in consequence of a neglect to obey the inspector's requirement a certified copy of the notice served by the inspector shall be *prima facie* evidence of the culpable negligence of the party or parties so complained of. Nothing in this act shall be so construed as to give the control of any mine to the mine inspector or allow him to interfere with the working of any mine.

SECTION 8. It shall be the duty of the inspector of mines at least once in each year to visit each mining county in South Dakota, and examine as many of the mines in the different counties as practicable, and shall make such recommendations as in his judgment are necessary to insure the safety of the workmen employed therein; and whenever, from his examination, he shall find any mine to be in an unsafe condition he shall at once serve a notice upon the owner, lessor, lessee or agent thereof, as provided for in section seven of this act.

SECTION 9. Whenever a serious or fatal accident shall occur in any mine in South Dakota it shall be the duty of the owner, lessor, lessee, agent or superintendent thereof to immediately, and by the quickest means, notify the inspector of mines; and upon receiving such notice the inspector in person shall at once repair to the place of accident and investigate fully the cause of such accident; and, whenever possible to do so, the inspector shall be present at the coroner's inquest held over the remains of the person or persons killed by such accident, and shall testify as to the cause thereof, and shall state whether in his opinion the accident was due to the negligence or mismanagement of the lessor, lessee, owner or agent of such mine, or the manager, superintendent, or other persons in charge. If the inspector can not be immediately present in case of a fatal or serious accident occurring, it shall be the duty of the superintendent, owners, or persons in charge of the mine to have written statements made by those witnessing the same and duly sworn to. In case of no person being present at the time of the accident, then the statement of those first present shall be taken, which statement shall be sworn to before some person qualified to administer oaths; and such sworn statements shall be placed in the hands of the inspector upon the demand of that officer.

SECTION 10. Any owner, lessor, lessee or agent of any mine who shall fail to comply with the provisions of section nine of this act shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding one thousand dollars, and not less than two hundred dollars.

SECTION 11. All corporations or individuals working mines in South Dakota who shall employ, or permit to be employed, in such mines any children under fourteen years of age shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars.

SECTION 13. The inspector of mines shall make a report to the governor of South Dakota on the first day of December of each year, and said report shall enumerate all accidents that have occurred in the mines of South Dakota, which have occasioned serious injury or resulted fatally to persons employed therein, together with the nature and cause of such accident. Said report shall also contain stati tical and other information which may tend to promote the development of the mineral resources of South Dakota; and shall generally set forth the result of the inspector's labors for the year. Such report shall be printed as are the reports of other state officers.

SECTION 15. The provisions of this act shall not apply to mines in which no other person, but the owner, or owners, or lessees thereof, are permitted to work.

CHAPTER 153.—*Trade marks of trade unions, etc.*

SECTION 1. It shall be lawful for associations and unions of workmen to adopt for their protection labels, trade marks and advertisements, used by such unions or associations, announcing that goods manufactured by members of such associations or unions are so manufactured by such members.

SECTION 2. Any and all persons using such union or association trade marks, labels or advertisements, whether exactly like such labels, trade marks or advertisements or not, if with the intention to, or likely to, deceive the public, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than ten days nor more than thirty days, or a fine of not less than twen y-five dollars nor more than one hundred dollars, or both.

SECTION 3. Every person who shall use any such counterfeited trade mark, label or advertisements of such a union or association after having been notified that the same is so counterfeited shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than ten days nor more than thirty days, or by fine of not less than twenty-five dollars nor more than one hundred dollars, or both.

SECTION 4. Every association of workingmen or labor union adopting a label, trade mark or advertisement of the kind specified in the first section of this act shall record the same in the office of the secretary of state by leaving two copies of said labels or advertisements with said secretary of state, who shall, under his hand and seal, deliver to the association or union recording such label or advertisement a certificate of record, for which he shall receive a fee of one dollar.

SECTION 5. Every association or labor union adopting a label, trade mark or advertisement of the kind specified in the first section of this act may proceed by suit in any of the courts of the state to enjoin the manufacture, use, display or sale of counterfeits or imitations of such labels, trade marks or advertisements, and * * * all courts having jurisdiction of the persons, and upon satisfactory proof of such wrongful use, shall grant an injunction for such wrongful use of such counterfeits and shall award the complainant such damages resulting from such wrongful use as may be proved, and shall require the defendants to pay to the complainant the profits derived from such wrongful use, or both profits and damages, and the court shall also order all counterfeit labels and advertisements in the possession or under the control of the defendant in such cause to be delivered to an officer of the court or to the complainants, to be destroyed.

SECTION 6. In like manner such unions or associations of workingmen shall be authorized to proceed against all persons who shall wrongfully use or display the genuine labels or advertisements of the respective associations or unions, not being authorized by such associations or unions to use or display the same, in any court having jurisdiction thereof.

TENNESSEE.

CONSTITUTION.

ARTICLE 2.—*Exemption from taxation.*

SECTION 28. All property, * * * shall be taxed, but the legislature may except * * *, and shall except one thousand dollars' worth of personal property in the hands of each tax-payer, and the direct product of the soil in the hands of the producer and his immediate vendee. * * *

ARTICLE 11.—*Exemption from execution, etc.—Homesteads.*

SECTION 11. A homestead in the possession of each head of a family, and the improvements thereon, to the value in all, of one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family, to inure to the benefit of the widow, and shall be exempt during the minority of their children occupying the same. * * * This exemption shall not operate against public taxes, nor debts contracted for the purchase money of such homestead, or improvements thereon.

CODE OF 1884.

PART I, TITLE 3.—*Bureau of agriculture, statistics and mines.*

SECTION 294. There shall be a department to be styled the bureau of agriculture, statistics and mines, for the state of Tennessee.

SECTION 295. It shall be under the control and management of one officer, who shall be known as the commissioner of agriculture, statistics and mines; he shall be appointed by the governor, by and with the advice and consent of the senate, and shall hold his office for a period of two years.

SECTION 299. The duties of the commissioner shall be:

* * * * * * * *

6. It shall likewise be the duty of the commissioner to collect statistics of the labor of the state, * * * also the extent to which manufacturing is carried on in this state, especially of cotton and iron. He shall also report the special facilities of the state for engaging in such enterprises, such as water-power, convenience of coal and ore, contiguity to market, and such other facts as may attract capital and labor to the state, and upon all these subjects he shall make a biennial report to the legislature.

PART I, TITLE 6.—*Voting of employé no violation of contract with employer.*

SECTION 1039. It shall be no violation of a contract for personal service for any qualified voter, who is an employé, to go to polls of his district or ward to vote on election days; and every contract that will, or is designed to keep, such voters away from the polls, shall be void.

PART I, TITLE 12.—*Sunday labor.*

SECTION 2289. If any merchant, artificer, tradesman, farmer, or other person shall be guilty of doing or exercising any of the common avocations of life, or of causing or permitting the same to be done by his children or servants, acts of real necessity or charity excepted, on Sunday, he shall, on due conviction thereof before any justice of the peace of the county, forfeit and pay three dollars, one-half to the person who will sue for the same, the other half for the use of the county.

PART II, TITLE 2.—*Exemption from execution, etc.—Personal property.*

SECTION 2931, (as amended by chapter 156, acts of 1887). The following property shall be exempt from execution, seizure or attachment in the hands of—

Every male citizen of the age of eighteen years and upward, and every female who is the head of a family, one gun;

Every single woman, who uses it for a livelihood, one sewing machine;

Every mechanic in the state, who is engaged in the pursuit of his trade or occupation, one set of mechanics' tools, such as are usual and necessary to the pursuit of his trade;

Thirty dollars of the wages of every mechanic or other laborer; the lien created by service of garnishment shall only affect that portion of a laborer's wages that may be due at the time service is made, and not any future wages.

HEADS OF FAMILIES.

Two beds, bedsteads and necessary clothing for each, and for each three children of any one family one additional bed, bedstead, and necessary bed clothing, the value of such bedstead in no case to exceed twenty-five dollars. One dozen

knives and forks, one dozen plates, half dozen dishes, one set of tablespoons, one set of teaspoons, one bread-tray, two pitchers, one waiter, one coffee-pot, one tea-pot, one pair cotton cards, one pair wool cards, one cooking-stove and utensils, or one set of ordinary cooking utensils, one meal sieve and one wheat sieve, one cradle, one bible and hymn book, and all books used in school, two gourds, one canister, one cream jug, one dozen cups and saucers, one dining table and two tablecloths, one dozen chairs, one bureau, not to exceed forty dollars in value, one safe or press, one wash basin, one bowl and pitcher, one washing-kettle, two washing tubs, one churn, one looking-glass, one chopping ax, one spinning-wheel, one loom and gear, three strings of red pepper. If the family consists of less than six persons, one thousand pounds of pork, slaughtered or on foot, or six hundred pounds of bacon, or if the family consists of more than six persons, then twelve hundred pounds of pork, or nine hundred pounds of bacon, and all the poultry on hand and fowls to the value of twenty-five dollars, two punger gourds, one carpet, in actual use by the family, not exceeding in value twenty-five dollars, and one home-made carpet, manufactured by the wife or any female member of the family, for family use, and being so applied, six cords of wood or one hundred bushels of coal, one sewing machine, one hundred gallons of sorghum molasses, thirty stands of bees and product of same, one hundred pounds of soap, fifty pounds of lard, one hundred pounds of flour, fifty pounds of salt, one hundred pounds of beef or mutton, one pound of black pepper, one pound of spice, one pound of ginger, twenty pounds of coffee, fifty pounds of sugar, three bushels of meal, one bushel of dried beans, one bushel of dried pease, two cows and calves, and if the family consist of six or more persons, three cows or cows and calves, fifty head of sheep and the fleece that may be shorn from the same, two horses or two mules or one horse and mule, or one horse or mule, one yoke of oxen, one ox cart, yoke, ring, staple and log chain, one two or one-horse wagon (not to exceed seventy-five dollars in value) and harness, one man's saddle, one woman's saddle, two riding bridles, twenty-five barrels of corn, twenty bushels of wheat, five hundred bundles of oats, five hundred bundles of fodder, one stack of hay, (not to exceed twenty dollars in value), two hundred bushels of cottonseed, fifty pounds of picked cotton, twenty-five pounds of wool, a sufficient quantity of upper and sole leather to provide winter shoes for family, fifty bushels of Irish potatoes, fifty bushels of sweet potatoes (provided they be kept for family use and not for sale or merchandise), ten bushels of turnips, one pair of andirons, one clock, all the canned fruits put up for family use (not to exceed twenty dollars in value), twenty bushels of peanuts, three hundred pounds of tobacco in the hands of the producer. If the head of the family be a mechanic, two hundred dollars' worth of lumber or material, or products of his labor, either in a finished or unfinished state.

SECTION 2932. If the head of a family be engaged in agriculture, there shall be further exempt in his hands the following property: Two plows, two hoes, one grubbing hoe, one cutting knife, one harvest cradle, one set of plow gears, one pitchfork, one rake, three iron wedges and ten head of stock hogs.

SECTION 2934. When a debtor absconds or leaves his family, the exempted property shall be set apart for the use of the wife and family, and shall be exempt in the hands of the wife or children, and such property on the death of the owner, shall be exempt in the hands of the widow and children.

PART II, TITLE 2.—*Exemption from execution, etc.—Homesteads.*

SECTION 2935. A homestead or real estate in the possession of, or belonging to, each head of a family, and the improvements, if any thereon, to the value of, in all, one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family—and which shall inure to the benefit of his widow and children, and shall be exempt from sale in any way at the instance of any creditor or creditors; said real estate may be sold by the joint consent of husband and wife, where that relation exists, to be evidenced by conveyance duly executed as required by law for married women. It shall not be exempt from sale for the payment of public taxes legally assessed upon it, or from sale for the satisfaction of any debt or liability contracted for its purchase or legally incurred for improvements made thereon.

SECTION 2937. The provisions of the first section of this article, shall apply as well to equitable as legal estates, and the homestead in equitable estates shall be set apart as the court may prescribe in ordering the sale.

SECTION 2938. It shall also apply to leasehold property, occupied by every housekeeper, or head of a family, in this state, when such leasehold estate is for more than two and not exceeding fifteen years.

SECTION 2939. The homestead upon leasehold estates shall not be exempted from execution or attachment for rent due thereon.

SECTION 2943. The homestead exempt in the possession of a husband shall, upon his death, go to the widow during her natural life, with the products thereof, for her own use and benefit, and that of her family who reside with her, and, upon her death, it shall go to the minor children of the deceased husband, free from the debts of the father, mother, or said children: and, upon the death of said minor child or children, or their arrival of age, the same may be sold, and the proceeds distributed amongst all the heirs at law of the deceased head of the family, according to the laws of descent and distribution in this state.

PART II, TITLE 3.—*Exemptions from execution, etc.*

SECTION 3128. The property exempt by law from execution shall, on the death of the husband, be exempt from execution in the hands of and be vested in the widow, without regard to the size or solvency of the estate of the deceased, for herself and in trust for the benefit of the children of the deceased, or of the widow, or of both; and it shall not go to the executor or administrator; and in case there be no widow, and the estate be either solvent or insolvent, such property shall be exempt for the benefit of the minor children under fifteen.

PART II, TITLE 4.—*Enticing employés.*

SECTION 3438. It shall not be lawful for any person in this state, knowingly, to hire, contract with, decoy or entice away, directly or indirectly, any one, male or female, who is at the time under contract or in the employ of another; and any persons so under contract or employ of another, leaving their employ without good and sufficient cause, before the expiration of the time for which they were employed, shall forfeit to the employer all sums due for service already rendered, and be liable for such other damages the employer may reasonably sustain by such violation of contract.

SECTION 3439. Any person violating the provisions of the above had [*sic*] section shall be liable to the party who originally and was entitled to the services of said employé, by virtue of a previous contract, for such damages as he may reasonably sustain by the loss of the labor of said employé; and he shall also be liable for such damages, whether he had knowledge of an existing contract or not, if he fails or refuses to discharge the person so hired, or to pay such damages as the original employer may claim, after he has been notified that the person is under contract or has violated the contract with another person, which amount shall be ascertained and the collection enforced by action for damages before any justice of the peace of said county where said violation occurs, or the party violating section 3438 may reside.

PART III, TITLE 7.—*Convict labor.*

SECTION 6266. Any county not having a workhouse, shall, through its quarterly court, declare its jail to be the county workhouse, and in such cases have all the benefit of all laws providing for workhouses; * * *.

SECTION 6268. Any person confined in the workhouse may be compelled to work outside of the same, on streets, alleys, roads, public grounds, buildings and bridges, or in any other manner inside or outside of said workhouse, as the superintendent of such workhouse may direct, and such superintendent may make contracts to perform any manual labor for private persons or corporations, at a price to be agreed on, * * *.

SECTION 6270. Where in any county in the state there is no workhouse, or none other than the jail of such county, the county court thereof may hire out its convicts to any person or corporation, upon such terms as may be agreed on, to do any character of work which may be agreed on anywhere in the county, and in like manner any city, town or taxing district may hire out its convicts to any person or corporation upon such terms as may be agreed on, and at such work as may be agreed on, and at such place or places as may be agreed on, within the limits of the county where such city, town, or taxing district is situated.

SECTION 6366. The work of convicts shall be at an average of ten hours per day, Sundays excepted, through the entire year, and the number of hours to be worked in the different seasons of the year shall be regulated by the superintendent, warden, and board of inspectors.

SECTION 6367. No convict under sentence for the crimes of murder or rape, shall be worked or hired outside the prison bounds of the penitentiary, unless by the consent of the inspectors upon the written request of the warden.

SECTION 6404. The convicts shall be worked within the walls of the prison, except when otherwise directed by the general assembly.

ACTS OF 1887.

CHAPTER 155.—*Coercion of employé to buy at particular place unlawful.*

SECTION 1. It shall not be lawful for any manufacturer, firm, company, or corporation, their agents, clerks, or superintendents in this state, who own or control a store for the sale of general store goods or merchandise in connection with their manufacturing or other business, to attempt to control their employés or laborers in the purchase of store goods and supplies at the aforesaid store by withholding the payment of wages longer than the usual time of payment, whereby the employé would be compelled to purchase supplies at said manufacturer's, firm's, company's, or corporation's store.

SECTION 2. Any manufacturer, firm, company, or corporation, offending against the provisions of this act, the same shall be a misdemeanor, and on conviction in any court having jurisdiction thereof, fined not exceeding fifty dollars.

CHAPTER 206.—*Weighing coal at mines.*

SECTION 1. At every coal or other mine in this state where coal or other minerals are mined, by weight or measure, the miners, or a majority of those present at a meeting called for that purpose, shall have the right to employ a competent person as check-weighman or check-measurer, as the case may require, who shall be permitted at all times to be present at the weighing or measuring of coal, also have power to weigh or measure the same, and during the regular working hours to have the privilege to balance and examine the scales or measure the cars: *Provided*, That all such balancing or examination of scales shall only be done in such way, and in such time as in no way to interfere with the regular working of the mines, and he shall not be considered a trespasser during working hours while attending to the interests of his employers, and in no manner shall he be interfered with or intimidated by any person, agent, owner, or miner; and any person violating these provisions shall be held and deemed guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine of not less than twenty dollars, and not exceeding one hundred dollars, or imprisoned at the discretion of the court.

SECTION 2. It shall be a further duty of check-weighman or check-measurer to credit each miner with all merchantable coal or other mineral mined by him, on a proper sheet or book kept by him for that purpose. When differences arise between the check-weighman or check-measurer and the agent or owners of the mine, as to the uniformity, capacity of scales or cars used, the same shall be referred to the mine inspector of the district where the mine is located, whose duty it shall be to regulate the same at once, and in the event of said scales or cars proving to be correct, then the party or parties applying for the testing thereof to pay or bear all costs and expense thereof; but if not correct, then the owner or owners of said mine to pay the cost and charges of making said examination.

SECTION 3. Should any weighman, agent, or check-measurer, whether employed by operators or miners, knowingly or wilfully adopt or take more or less pounds for a bushel or ton than is now provided for by law or wilfully neglect the balancing or examining of the scales or cars, or knowingly and wilfully weigh coal with an incorrect scale, he shall be guilty of a misdemeanor, and upon conviction thereof shall be imprisoned in the county jail for not less than three months.

CHAPTER 208.—*Protection of employés as voters and in trading.*

SECTION 1. It shall be unlawful for any joint stock company, association, or corporation, organized, chartered, or incorporated by and under the laws of this state, or operated or doing business in this state under its laws, either as owner or lessee, having persons in their service as employés, to discharge any employé or employés, or to threaten to discharge any employé or employés in their service for voting or for not voting in any election, state, county, or municipal, for

any person as candidate or measure submitted to a vote of the people, or to threaten to discharge any such employé or employés for trading or dealing, or for not trading or dealing as a customer or patron with any particular merchant or other person or class of persons in any business calling, or to notify any employé or employés either by general or special notice, directly or indirectly, secretly or openly given, not to trade or deal as customer or patron with any particular merchant or person or class of persons, in any business or calling, under penalty of being discharged from the service of such joint stock company, corporation or association doing business in this state as aforesaid.

SECTION 2. Any joint stock company, association, or corporation organized, chartered, or incorporated under the laws of this state, or operated in this state violating any of the provisions of the foregoing section, shall be guilty of a misdemeanor, and on conviction shall pay a fine of not less than one hundred dollars and not more than one thousand dollars for each offence for which convicted.

SECTION 3. Any person acting as an officer or agent of any joint stock companies, associations, or corporations of the kind and character hereinbefore described, or for any one of them, who makes or executes any notice, order, or threat of the kind and character hereinbefore forbidden, shall be guilty of a misdemeanor, and on conviction shall pay a fine of not less than one hundred dollars and not more than five hundred dollars, and be imprisoned in county jail not less than ten days nor more than three months.

CHAPTER 209.—*Redemption of scrip by corporations.*

SECTION 1. From and after the passage of this act it shall be unlawful for any person or persons, firms, or corporations, or companies to refuse to cash any checks or scrip of their own that may be presented it within thirty days of its date of issuance.

SECTION 2. Any person or persons, firms, companies, or corporations who shall refuse to redeem in lawful currency any such checks or script, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than twenty-five dollars for each offence; *Provided*, That this act shall not be construed as authorizing or legalizing the issuance of scrip.

SECTION 3. All laws conflicting with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

CHAPTER 247.—*Mine regulations and inspection.*

SECTION 1. * * * there shall be appointed by the governor of this state one mine inspector for the entire state, whose term of office shall be four years, * * * and said mine inspector shall be subject to a removal from office by the governor when convicted of any neglect in the discharge of his duties or malfeasance in office; said mine inspector shall be a practical miner of not less than five years' practical experience in mining, having a full and practical knowledge of the different systems of working and ventilating coal mines or collieries, and of the nature and properties of all noxious gases generated in said coal mines or collieries.

SECTION 7. Said inspector shall give his whole time to the duties of his office, and while holding said office shall not act as an agent or manager of any mine or mining corporation, or be interested in operating any mine or colliery, and he shall annually, * * * make his report to the governor of his proceedings during the year preceding and the condition and operation of the mines in the state, enumerating all accidents in or about the same and give all of such other information as he may think useful and proper, and make such suggestions as may be deemed proper for future legislation on the subject of mines and collieries.

SECTION 8. Said inspector shall inspect all mines and collieries once every three months that are being worked, and it shall be lawful for him to enter, inspect, and examine any mine in this state, and the works and machinery belonging thereto, either outside or on the inside of said mines or collieries, where human life is to be protected, and to see that the provisions of this act are enforced at all times, by night or by day, where it is reasonably in the power of human skill to do so; but at no time is he allowed to unnecessarily obstruct or impede the working of any mine or colliery; the owners or agents of said mines, or collieries are hereby required to furnish the means necessary for such entry and in-

spection by the inspector, and said inspector shall make a record of said inspection, noting the time and all material facts connected with the case and place.

SECTION 9. It shall be the duty of the person or persons having charge of any mine or colliery, wherein any loss of life shall occur by accident connected with the working of such mine or colliery, either by explosion or any other means, or any serious accident should occur to any employé working in or about said mines or collieries, such person or persons shall give notice forthwith, by mail or otherwise, to the inspector of mines, and should the death of any one result from the accident or explosion, said person or persons having charge of the mine or colliery shall also give notice to the coroner of the county wherein the loss of life occurred, and the coroner shall hold an inquest upon the body of the person or persons whose death has been caused thereby, and inquire into the cause thereof, and return a copy of the verdict to the inspector of mines, with all the testimony in the case, and on receipt of these facts from the coroner the inspector shall, without delay, investigate the matter and take such steps to prevent a recurrence of the accident, as provided for by the provisions of this act; and any person or persons having charge of any mine or colliery when any accident occurs, causing the loss of human life, failing to give notice as herein prescribed, on conviction of the same shall be subject to a fine of not less than two hundred, nor more than five hundred dollars, subject to the discretion of the court trying the case, and all costs accruing thereon.

SECTION 10. No person or persons having any personal interest in, or employed in the management of the mine or colliery when a fatal accident occurs, shall be qualified to serve on the jury impanelled for the inquest, and the coroner shall have full power to challenge all such jurors so impanelled.

SECTION 11. The provisions of this act shall apply to the workings of all kinds of mines that are worked in this state, either for mineral of any description or coal, and all of said mines shall come under the control of the mine inspector, and be subject to his orders as herein provided for, and what he may direct in connection with the working of the same for the protection of human life therein.

ACTS OF 1889.

CHAPTER 81.—*Conditional sale of personal property.*

SECTION 1. Hereafter when any personal property is sold upon condition that the title remain in the seller until that part of the consideration remaining unpaid is paid, it shall be the duty of said seller, having regained possession of said property because of the consideration remaining unpaid at maturity, to, within ten days after regaining said possession, advertise said property for sale for cash to the highest bidder, by printed hand-bills or written or printed notices posted on the door of the court-house of the county in which said seller resides, and also at two public places in the civil district in which said original purchaser resides, (said notice to be posted at least ten days before the day of sale and to contain a description of the property to be sold, and time and place of said sale), unless the debt is satisfied before the day of sale, then it shall be the duty of said original seller, or his agent, at the time and place as stated in said notices, to offer for sale and sell said property as provided above, and with the proceeds of said sale satisfy the amount of his claim arising from said conditional sale above mentioned, and the expenses of advertisement, if any, and the remainder of said proceeds, if any, he shall pay over to the original purchaser; *Provided*, The said original seller and purchaser may at any time, by agreement, waive the sale provided in this act.

SECTION 2. The seller mentioned in section 1 of this act may become a bidder and purchaser at the sale provided in said section.

SECTION 3. Should said property, at the sale provided by this act, fail to realize a sufficient sum to satisfy the claim of the seller, the balance still remaining due on said claim shall be and continue a valid and legal indebtedness as against said original purchaser.

SECTION 4. Should the seller, having regained possession of said property, fail to advertise and sell the same as provided by this act (unless said sale is waived as provided), the original purchaser may recover from said seller that part of the consideration paid in an action for the same before any justice of the peace, or court having jurisdiction of the amount.

SECTION 5. Should said property, sold under this act, realize an amount more than sufficient to satisfy the claim of the seller and expense of advertisement, and the balance be not paid to the original purchaser as provided in section 1,

then the said original purchaser may recover said balance from said seller by motion before any justice of the peace or court having jurisdiction of the amount after having given five days' written notice to said seller of the time and before what justice or court said motion is to be made, said notice to be served by constable, sheriff, or his deputy.

CHAPTER 96.—*Exemption from taxation.*

SECTION 2. The property herein enumerated, and none other, shall be exempt from *ad valorem* taxation:

* * * * * * *

6. All growing crops of whatever nature or kind, the direct product of the soil in the hands of the producer, or his immediate vendee, and manufactured articles from the products of this state in the hands of the manufacturers.
7. Personal property to the amount of one thousand dollars.

CHAPTER 204.—*Convict labor.*

SECTION 1. * * * It shall be the duty of the governor * * * , to lease the penitentiary and labor of all the convicts who may, at the time of the expiration of the present lease, or thereafter, be undergoing sentence to the penitentiary, together with the penitentiary buildings, quarry, grounds, and any and all fixtures, machinery, tools, engines, patterns, etc., that may belong to the state, pertaining to the penitentiary, for the term of six years, beginning on the first day of January, 1890; * * *.

SECTION 3. * * * The work of said convicts shall be at an average of not more than ten hours per day, Sundays excepted, through the entire year, and the number of hours to be worked in the different seasons of the year shall be regulated by the superintendent, warden and board of inspectors.

SECTION 9. The lessee or lessees will be permitted, * * * to work the convicts at any place or places in the state of Tennessee, * * * and they shall have full control of the place or places, character and kind of work or labor in which the convicts shall be employed. But if the convicts are to be employed in any new species of labor other than such as has been heretofore done by them, the same shall be subject to restrictions by the general assembly of the state of Tennessee; provided it is found to be prejudicial to the public property or the good of the convicts.

SECTION 11. All convicts under the age of eighteen years (except such as shall be employed in clerical service, or other light work, and kept separate from other convicts) shall be kept at the main prison, separate and apart from older and hardened criminals, * * *; and for the carrying out of this design a definite room, or rooms, or portion of the shops, shall be set apart for such convicts under eighteen years old, and such convicts of good conduct and example and low grade of offence as shall be placed with them, * * *.

CHAPTER 259.—*Corporations—Employment of company doctors.*

SECTION 1. It shall be unlawful for any manufacturer, firm, company, or corporation, their agents, clerks, or superintendents in this state, to dictate or in any manner interfere with any employé or laborer in their rights to select their own family physician.

SECTION 2. It shall be unlawful for any such manufacturer, firm, company, or corporation, their agents, clerks, or superintendents, to retain or withhold any part or portion of the wages due to any such employé or laborer for the avowed purpose of paying the salary of any person claiming to be the "company doctor" without the full consent of such employé or laborer; and the whole amount of any such wages so retained by consent shall be paid to said company doctor or other physicians so employed by said employés.

SECTION 3. Any agent, clerk, or superintendent of any such firm, company, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction in any of the courts of the state having jurisdiction, shall be fined not less than ten dollars.

TEXAS.

CONSTITUTION.

ARTICLE 3.—*Local or special laws regulating labor, etc., not to be passed.*

SECTION 56. The legislature shall not, except as otherwise provided in this constitution, pass any local or special law, * * * regulating labor, trade, mining and manufacturing; * * * .

ARTICLE 8.—*Exemption from taxation.*

SECTION 1. * * * The legislature may * * * tax incomes of both natural persons and corporations, other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; *Provided*, That two hundred and fifty dollars' worth of household and kitchen furniture, belonging to each family in this state, shall be exempt from taxation; * * * .

ARTICLE 16.—*Exemption from garnishment—Wages.*

SECTION 28. No current wages for personal services shall ever be subject to garnishment.

ARTICLE 16.—*Protection of wages of laborers on public works.*

SECTION 35. The legislature shall at its first session, pass laws to protect laborers on public buildings, streets, roads, railroads, canals and other similar public works, against the failure of contractors and subcontractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done, responsible for their ultimate payment.

ARTICLE 16.—*Mechanics' liens.*

SECTION 37. Mechanics, artisans and material men, of every class, shall have a lien upon the buildings and articles made or repaired by them, for the value of their labor done thereon, or material furnished therefor; and the legislature shall provide by law for the speedy and efficient enforcement of said liens.

ARTICLE 16.—*Exemption from execution, etc.—Personal property.*

SECTION 49. The legislature shall have power, and it shall be its duty, to protect by law from forced sale a certain portion of the personal property of all heads of families, and also of unmarried adults, male and female.

ARTICLE 16.—*Exemption from execution, etc.—Homestead.*

SECTION 50. The homestead of a family shall be, and is hereby protected from forced sale for the payment of all debts except for the purchase money thereof, or a part of such purchase money, the taxes due thereon, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of the wife given in the same manner as is required in making a sale and conveyance of the homestead; nor shall the owner, if a married man, sell the homestead without the consent of the wife given in such a manner as may be prescribed by law. No mortgage, trust deed or other lien on the homestead shall ever be valid, except for the purchase money therefor or improvements made thereon, as hereinbefore provided, whether such mortgage, or trust deed, or other lien, shall have been created by the husband alone or together with his wife; and all pretended sales of the homestead involving any condition of defeasance shall be void.

SECTION 51. The homestead, not in a town or city, shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the

improvements thereon; the homestead in a city, town or village, shall consist of lot or lots, not to exceed in value five thousand dollars at the time of their designation as the homestead, without reference to the value of any improvements thereon: *Provided*, That the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of the family; *Provided, also*, That any temporary renting of the homestead shall not change the character of the same, when no other homestead has been acquired.

SECTION 52. On the death of the husband or wife, or both, the homestead shall descend and rest in like manner as other real property of the deceased, and shall be governed by the same laws of descent and distribution but it shall not be partioned among the heirs of the deceased during the lifetime of the surviving husband or wife, or so long as the survivor may elect to use or occupy the same as a homestead, or so long as the guardian of the minor children of the deceased may be permitted, under the order of the proper court having the jurisdiction, to use and occupy the same.

REVISED CIVIL STATUTES OF 1879.

TITLE 9.—*Exemption from garnishment—Wages.*

ARTICLE 218. No current wages, for personal service shall be subject to garnishment; and where it appears upon the trial that the garnishee is indebted to the defendant for such current wages, the garnishee shall nevertheless be discharged as to such indebtedness.

TITLE 40.—*Exemption from execution, etc.*

ARTICLE 2335. The following property shall be reserved to every family, exempt from attachment or execution, and every other species of forced sale for the payment of debts, except as hereinafter provided:

1. The homestead of the family.
2. All household and kitchen furniture.
3. Any lot or lots in a cemetery held for the purpose of sepulture.
4. All implements of husbandry.
5. All tools, apparatus and books belonging to any trade or profession.
6. The family library and all family portraits and pictures.
7. Five milch cows and their calves.
8. Two yoke of work oxen, with necessary yokes and chains.
9. Two horses and one wagon.
10. One carriage or buggy.
11. One gun.
12. Twenty hogs.
13. Twenty head of sheep.
14. All saddles, bridles and harness necessary for the use of the family.
15. All provisions and forage on hand for home consumption; and,
16. All current wages for personal services.

ARTICLE 2337. The following property shall be reserved to persons who are not constituents of a family, exempt from attachment, execution and every other species of forced sale:

1. A lot or lots in a cemetery, held for the purpose of sepulture.
2. All wearing apparel.
3. All tools, apparatus and books belonging to any trade or profession.
4. One horse, saddle and bridle.
5. Current wages for personal services.

ARTICLE 2338. There shall be reserved to every ferryman exempt from attachment, execution and every other speces of forced sale, except as hereinafter provided, one ferry-boat, keel or flat-boat, used as a ferry-boat, with the necessary tackle for operating the same, not exceeding in value five hundred dollars; but such exemption shall not apply to any recovery for damages sustained by the negligence or other improper conduct on the part of such ferryman.

ARTICLE 2342. The exemption of personal property, provided for in this chapter, shall not apply when the debt is due for rents and advances made by a landlord to his tenant, under the provisions of Title LVIII, or to other debts which are secured by a lien on such property.

TITLE 40.—*Exemption from execution, etc.—Homesteads.*

ARTICLE 2336. The "homestead" of a family, not in a town or city, shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the improvements thereon; the homestead in a city, town or village, consisting of a lot or lots, not to exceed in value five thousand dollars at the time of their designation as the homestead, without reference to the value of any improvements thereon; *Provided*, That the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of a family; *Provided, also*, That any temporary renting of the homestead shall not change the character of the same when no other homestead has been acquired.

ARTICLE 2341. The exemption of the homestead provided for in this chapter shall not apply where the debt is due—

(1) For the purchase money of such homestead or a part of such purchase money.

(2) For taxes due thereon.

(3) For work and material used in constructing improvements thereon; but in this last case such work and material must have been contracted for in writing, and the consent of the wife, if there be one, must have been given in the same manner as is by law required in making a sale and conveyance of the homestead.

TITLE 71.—*Convict labor.*

ARTICLE 3585. The commissioners' courts of the several counties may provide for the erection of a workhouse and the establishment of a county farm in connection therewith, for the purpose of utilizing the labor of county convicts, in accordance with the provisions of the constitution.

ARTICLE 3591. County convicts shall be put to labor upon the public roads, bridges or other public works of the county, when their labor can not be utilized in the county workhouse or farm, and they shall be required to labor not less than eight nor more than ten hours each day, Sundays excepted.

ARTICLE 3597, (as amended by chapter 17, acts of 1889). When a convict who has been committed to jail in default of payment of fine and costs is required to do manual labor he shall be credited upon such fine and costs at the rate of fifty cents for each day he may labor, and upon satisfaction of such fine and costs in full at said rate he shall be discharged: *Provided*, Such work shall be performed on public streets or roads, or on county poor farms. No convict under this act shall ever be required to work or be hired for more than one year.

ARTICLE 3602, (as amended by chapter 15, acts of 1887). Any person who may be convicted of a misdemeanor or petty offense, and who shall be committed to jail in default of the payment of the fine and costs adjudged against him, may be worked upon the public roads or upon the county farms of the county in which such conviction is had, or be hired out to any individual, company or corporation within the county of conviction, to remain in said county, and the proceeds of said hiring, when collected, shall be applied, first, to the payment of the costs, and second to the payment of the fine; and every convict shall be entitled to a credit of twenty-five cents on his fine and costs for each day he may serve under such hiring, including Sunday, and he shall be discharged at any time upon payment of the balance due on his fine and costs or upon the expiration of his term of service, his term of service in no event to be greater than one day for each twenty-five cents of fine and costs: *Provided*, That in no case shall the counties be responsible to the officers for their costs, and in no case shall such convicts be hired out for a longer period than two years for failure to pay a fine and costs, and on the expiration of said time, unless by his hire such fine and costs have been sooner paid off, said convicts shall be finally discharged.

ARTICLE 3603. Such hiring may be either by private contract or at public auction, as may be deemed best for the interest of the county, or it may be by general contract for any specified term, embracing the labor of all county convicts of the class prescribed in the preceding article, at some fixed rate per day, week or month.

TITLE 78.—*Industrial training in agricultural and mechanical college.*

SECTION 3683. The leading object of this college shall be, * * * to teach such branches of learning as are related to agriculture and the mechanical arts, * * * in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

TITLE 95.—*Exemptions from taxation.*

ARTICLE 4673. The following property shall be exempt from taxation, to wit:

* * * * * * *

10. Household and kitchen furniture, not exceeding at their true and full value two hundred and fifty dollars to each family, in which may be included one sewing machine.

PENAL CODE OF 1879.

TITLE 7.—*Sunday labor.*

ARTICLE 183, (as amended by chapter 116, acts of 1887). Any person who shall hereafter labor, or compel, force, or oblige his employés, workmen, or apprentices to labor, on Sunday, * * *, shall be fined not less than ten nor more than fifty dollars.

ARTICLE 184. The preceding article shall not apply to household duties, works of necessity or charity; nor to necessary work on farms or plantations in order to prevent the loss of any crop; nor to the running of steamboats or other water crafts, rail cars, wagon trains, common carriers, nor to the delivery of goods by them or the receiving or storing of said goods by the parties, or their agents to whom said goods are delivered; nor to stages carrying the United States mail or passengers; nor to founderies, sugar mills, or herders who have a herd of stock actually gathered and under herd; nor to persons traveling; nor to ferrymen or keepers of toll-bridges, keepers of hotels, boarding houses, and restaurants and their servants; nor to keepers of livery stables and their servants; nor to any person who conscientiously believes that the seventh or any other day of the week ought to be observed as the Sabbath, and who actually refrains from business and labor on that day for religious reasons.

ARTICLE 186, (as amended by chapter 116, acts of 1887). Any merchant, grocer, or dealer in wares or merchandise, or trader in any business whatsoever, * * * who shall sell or barter, or permit his place of business * * * to be open for the purpose of traffic * * * on Sunday, shall be fined not less than twenty nor more than fifty dollars. * * *

ARTICLE 186*a*, (added by chapter 116, acts of 1887). The preceding article shall not apply to markets or dealers in provisions as to sales of provisions made by them before nine o'clock a. m., nor to the sale of burial or shrouding material, newspapers, ice, ice cream, milk, nor to the sending of telegraph or telephone messages at any hour of the day, nor to keepers of drug stores, hotels, boarding houses, restaurants, livery stables, barber shops, bath houses, or ice-dealers, nor to telegraph or telephone offices.

TITLE 9.—*Unlawful assembly.*

ARTICLE 279. An "unlawful assembly" is the meeting of three or more persons, with intent to aid each other by violence or in any other manner either to commit an offense or illegally to deprive any person of any right, or to disturb him in the enjoyment thereof.

ARTICLE 289. If the purpose of the unlawful assembly be to prevent any person from pursuing any labor, occupation or employment, or to intimidate any person from following his daily avocation, or to interfere in any manner with the labor or employment of another, the punishment shall be by fine not exceeding five hundred dollars.

TITLE 9.—*Riot.*

ARTICLE 295. If the persons unlawfully assembled together do, or attempt to do, any illegal act, all those engaged in such illegal act are guilty of riot.

ARTICLE 304. If any person, by engaging in a riot, shall prevent any other person from pursuing any labor, occupation or employment, or intimidate any other person from following his daily avocation, or interfere in any manner with the labor or employment of another, he shall be punished by confinement in the county jail not less than six months nor more than one year.

ACTS OF 1879 (REGULAR SESSION).

CHAPTER 137.—*Hours of labor.*

SECTION 1. The employés in the several departments of the state government shall be and they are hereby required to labor nine hours each secular day, under such regulations as shall be prescribed by the heads of departments; * * *.

ACTS OF 1879 (SPECIAL SESSION).

CHAPTER 45.—*Convict labor.*

SECTION 1. The "East Texas Penitentiary Board" * * * shall cause such improvements to be made and buildings to be erected as will, in its judgment, furnish employment for the largest number of convicts practicable, with machinery and tools which can be purchased and had without an extravagant outlay of money, and need not provide for the manufacture of iron exclusively, but shall provide for smelting and casting iron, and may provide for more extensive iron works, if, after experiment, it shall be found advisable.

ACTS OF 1883.

CHAPTER 114.—*Convict labor.*

SECTION 3. No lease of the penitentiaries, or either of them, shall hereafter be made, and the state shall resume control thereof; and, for the purpose of resuming control of the penitentiaries and operating the convicts on state account, or by contract, or partly by one mode, and partly by the other, as the (penitentiary) board * * * or the legislature may determine.

SECTION 4, (as amended by chapter 95, acts of 1885). It shall be the duty of the penitentiary board to confine all convicts within the walls of the penitentiaries as soon as suitable prisons can be provided for their confinement and employment in such manner that they will be self supporting, and until adequate provision is made for such confinement and employment of the convicts, they may be employed as provided in section 3 of this act; *Provided*, That the penitentiary board may at any time, if they deem it advisable, purchase a penitentiary farm or farms, upon which all convicts not self supporting may be worked by the state.

* * * * * * *

ACTS OF 1885.

CHAPTER 54.—*Unlawful employment of sailors.*

SECTION 1. No sailor or portion of the crew of any foreign vessel shall engage in working on the wharves or levees of ports in the state of Texas beyond the end of the vessel's tackle.

SECTION 2. Any officer, sailor or member of the crew of a foreign sea-going vessel violating section 1 of this act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail for not less than ten nor more than thirty days, or both in the discretion of the court or jury.

ACTS OF 1887.

CHAPTER 18.—*Intimidation of employés.*

SECTION 1. Any person who shall, by threatening words, or by acts of violence or intimidation, prevent or attempt to prevent another from engaging or remaining in or from performing the duties of any lawful employment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by confinement not less than one nor more than six months in the county jail.

CHAPTER 30.—*Railroads—Reduction of wages of employés.*

SECTION 1. All persons in the employment of any railway company shall be entitled to receive thirty days' notice from said company before their wages can be reduced by such company, and in all cases of reduction the employé shall be entitled to receive from such company wages at his contract price for the full term of thirty days after such notice is given, to be recovered in any court of competent jurisdiction.

SECTION 2. The notice referred to in this act is declared to mean thirty full days immediately prior to the day upon which such reduction is to take effect, and may be given by posting written or printed handbills, specifying the parties whose wages are to be reduced and the amount of such reduction, in at least three conspicuous places in or about each shop, section house, station, depot, train, or other places where said employés are at work: *Provided*, Such employé shall within fifteen days from the date of such notice inform such railroad company, by posting like notices as given by such railway company, whether he will or will not accept such reduction, and if no such information is given such company by such employé, then such employé shall forfeit his right to such notice, and such reduction shall take effect from the date of such notice instead of at the expiration of the thirty days.

SECTION 3. Any railway company violating or evading any of the provisions of this act shall pay to each employé affected thereby one month's extra wages, to be recovered by such employé in any court of competent jurisdiction.

CHAPTER 91.—*Employés on railroads to be paid when discharged.*

SECTION 1. Whenever any railroad company shall discharge any employé, or whenever the time of service of any employé of a railroad company shall expire, or whenever any railroad company shall be due and owing any employé, such railroad company, upon such discharge, or upon the termination of the term of such service, or upon the maturity of such indebtedness, shall, within fifteen days after demand therefor upon the nearest station agent of said railroad company, pay to such employé the full amount due and owing him; and in case said railroad company fails or refuses to pay such employé, then it shall be liable and pay to such employé twenty per cent. on the amount due him as damages, in addition to the amount so due, in no case the damages to be less than five nor more than one hundred dollars.

CHAPTER 92.—*Intimidation of railroad employés.*

SECTION 1. Any person or persons who shall, by force, threats, or intimidation of any kind whatever, against any railroad engineer or engineers, or any conductor, brakeman, or other officer or employé, employed or engaged in running any passenger train, freight train, or construction train running upon any railroad in this state, prevent the moving or running of said passenger, freight, or construction train, shall be deemed guilty of an offense, and upon conviction thereof each and every person so offending shall be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and also imprisoned in the county jail for any period of time not less than three months nor more than twelve months.

SECTION 2. Each day said train or trains mentioned in section 1 of this act are prevented from moving on their road as specified in section 1 of this act shall be deemed a separate offense, and shall be punished as prescribed in section 1 of this act.

* * * * * * *

ACTS OF 1889.

CHAPTER 107.—*Collection of claims for labor against railroads.*

SECTION 1. After the time when this act shall take effect any person in this state having a valid bona fide claim for personal services rendered or labor done * * * against any railway corporation operating a railroad in this state, and the amount of such claim does not exceed fifty dollars, may present the same, verified by his affidavit, for payment to such corporation by filing it with any station agent of such corporation in any county where suit may be instituted for the same, and if, at the expiration of thirty days after such presentation, such claim has not been paid or satisfied, he may immediately institute suit thereon in the proper court; and if he shall finally establish his claim, and obtain judgment for the full amount thereof, as presented for payment to such corporation in such court, or any court to which the suit may have been appealed, he shall be entitled to recover the amount of such claim and all costs of suit, and in addition thereto all reasonable attorney's fees, provided he has an attorney employed in his case, not to exceed ten dollars, to be assessed and awarded by the court or jury trying the issue.

UTAH.

COMPILED LAWS OF 1888.

PART SECOND.

CHAPTER 6.—*Convict labor.*

SECTION 187. The county courts in their respective counties have jurisdiction and power * * *

* * * * * * *

28. To provide for the working of prisoners confined in the county jail, under judgment of conviction of a misdemeanor, (when under such judgment of conviction or existing laws said prisoners are liable to labor) under the direction of some responsible person, upon the public grounds, roads, streets, alleys, highways, or public buildings for the benefit of the county.

PART THIRD

CHAPTER 10.—*Exemption from taxation.*

SECTION 2009. All property, real and personal, situate and being in this territory, is taxable, except:

* * * * * * *

7. Private libraries and libraries of professional persons, not exceeding three hundred dollars in value.

* * * * * * *

12. Wearing apparel, beds, bedding, stoves, chairs, etc., not exceeding one hundred dollars ($100) in value for each family.

CHAPTER 17.—*Mine shafts to be fenced.*

SECTION 2240. Any person who sinks a shaft on the public domain or commons, either prospecting for coal, silver or other minerals, or for ventilating coal, silver or other mines, shall enclose such shaft with a substantial curb or fence, at least four and one-half feet high.

SECTION 2242. Any person failing to comply with the provisions of this act, is guilty of a misdemeanor, and shall be liable for all damages.

PART TENTH.

PART 2.—*Exemption from execution, etc.*

SECTION 3429. The following property is exempt from execution, except as herein otherwise specially provided:

1. Chairs, tables, desks, and books, to the value of two hundred dollars, belonging to the judgment debtor.

2. Necessary household, table and kitchen furniture, belonging to the judgment debtor, to the value of three hundred dollars; also one sewing machine, hanging pictures, oil paintings and drawings, drawn or painted by any member of the family, and portraits and their necessary frames, provisions, actually provided for individual or family use, sufficient for three months; two cows with their sucking calves, and two hogs and their sucking pigs.

3. The farming utensils or implements of husbandry of a farmer not exceeding in value the sum of three hundred dollars; also two oxen, or two horses, or two mules, and their harness, one cart or wagon, and food for such oxen, horses, cows or mules for sixty days; also, all seed grain, or vegetables actually provided, reserved, or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars.

4. The tools, tool-chest and implements of a mechanic or artisan, necessary to carry on his trade, not exceeding in value the sum of five hundred dollars; the notarial seal and records of a notary public; the instruments and chests of a surgeon, physician, surveyor, and dentist, necessary to the exercise of their pro-

then the said original purchaser may recover said balance from said seller by motion before any justice of the peace or court having jurisdiction of the amount after having given five days' written notice to said seller of the time and before what justice or court said motion is to be made, said notice to be served by constable, sheriff, or his deputy.

CHAPTER 96.—*Exemption from taxation.*

SECTION 2. The property herein enumerated, and none other, shall be exempt from *ad valorem* taxation:

* * * * * * *

6. All growing crops of whatever nature or kind, the direct product of the soil in the hands of the producer, or his immediate vendee, and manufactured articles from the products of this state in the hands of the manufacturers.
7. Personal property to the amount of one thousand dollars.

CHAPTER 204.—*Convict labor.*

SECTION 1. * * * It shall be the duty of the governor * * * , to lease the penitentiary and labor of all the convicts who may, at the time of the expiration of the present lease, or thereafter, be undergoing sentence to the penitentiary, together with the penitentiary buildings, quarry, grounds, and any and all fixtures, machinery, tools, engines, patterns, etc., that may belong to the state, pertaining to the penitentiary, for the term of six years, beginning on the first day of January, 1890; * * * .

SECTION 3. * * * The work of said convicts shall be at an average of not more than ten hours per day, Sundays excepted, through the entire year, and the number of hours to be worked in the different seasons of the year shall be regulated by the superintendent, warden and board of inspectors.

SECTION 9. The lessee or lessees will be permitted, * * * to work the convicts at any place or places in the state of Tennessee, * * * and they shall have full control of the place or places, character and kind of work or labor in which the convicts shall be employed. But if the convicts are to be employed in any new species of labor other than such as has been heretofore done by them, the same shall be subject to restrictions by the general assembly of the state of Tennessee; provided it is found to be prejudicial to the public property or the good of the convicts.

SECTION 11. All convicts under the age of eighteen years (except such as shall be employed in clerical service, or other light work, and kept separate from other convicts) shall be kept at the main prison, separate and apart from older and hardened criminals, * * *; and for the carrying out of this design a definite room, or rooms, or portion of the shops, shall be set apart for such convicts under eighteen years old, and such convicts of good conduct and example and low grade of offence as shall be placed with them, * * *.

CHAPTER 259.—*Corporations—Employment of company doctors.*

SECTION 1. It shall be unlawful for any manufacturer, firm, company, or corporation, their agents, clerks, or superintendents in this state, to dictate or in any manner interfere with any employé or laborer in their rights to select their own family physician.

SECTION 2. It shall be unlawful for any such manufacturer, firm, company, or corporation, their agents, clerks, or superintendents, to retain or withhold any part or portion of the wages due to any such employé or laborer for the avowed purpose of paying the salary of any person claiming to be the "company doctor" without the full consent of such employé or laborer; and the whole amount of any such wages so retained by consent shall be paid to said company doctor or other physicians so employed by said employés.

SECTION 3. Any agent, clerk, or superintendent of any such firm, company, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction in any of the courts of the state having jurisdiction, shall be fined not less than ten dollars.

TEXAS.

CONSTITUTION.

ARTICLE 3.—*Local or special laws regulating labor, etc., not to be passed.*

SECTION 56. The legislature shall not, except as otherwise provided in this constitution, pass any local or special law, * * * regulating labor, trade, mining and manufacturing; * * * .

ARTICLE 8.—*Exemption from taxation.*

SECTION 1. * * * The legislature may * * * tax incomes of both natural persons and corporations, other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; *Provided*, That two hundred and fifty dollars' worth of household and kitchen furniture, belonging to each family in this state, shall be exempt from taxation; * * * .

ARTICLE 16.—*Exemption from garnishment—Wages.*

SECTION 28. No current wages for personal services shall ever be subject to garnishment.

ARTICLE 16.—*Protection of wages of laborers on public works.*

SECTION 35. The legislature shall at its first session, pass laws to protect laborers on public buildings, streets, roads, railroads, canals and other similar public works, against the failure of contractors and subcontractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done, responsible for their ultimate payment.

ARTICLE 16.—*Mechanics' liens.*

SECTION 37. Mechanics, artisans and material men, of every class, shall have a lien upon the buildings and articles made or repaired by them, for the value of their labor done thereon, or material furnished therefor; and the legislature shall provide by law for the speedy and efficient enforcement of said liens.

ARTICLE 16.—*Exemption from execution, etc.—Personal property.*

SECTION 49. The legislature shall have power, and it shall be its duty, to protect by law from forced sale a certain portion of the personal property of all heads of families, and also of unmarried adults, male and female.

ARTICLE 16.—*Exemption from execution, etc.—Homestead.*

SECTION 50. The homestead of a family shall be, and is hereby protected from forced sale for the payment of all debts except for the purchase money thereof, or a part of such purchase money, the taxes due thereon, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of the wife given in the same manner as is required in making a sale and conveyance of the homestead; nor shall the owner, if a married man, sell the homestead without the consent of the wife given in such a manner as may be prescribed by law. No mortgage, trust deed or other lien on the homestead shall ever be valid, except for the purchase money therefor or improvements made thereon, as hereinbefore provided, whether such mortgage, or trust deed, or other lien, shall have been created by the husband alone or together with his wife; and all pretended sales of the homestead involving any condition of defeasance shall be void.

SECTION 51. The homestead, not in a town or city, shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the

improvements thereon; the homestead in a city, town or village, shall consist of lot or lots, not to exceed in value five thousand dollars at the time of their designation as the homestead, without reference to the value of any improvements thereon: *Provided*, That the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of the family; *Provided, also*, That any temporary renting of the homestead shall not change the character of the same, when no other homestead has been acquired.

SECTION 52. On the death of the husband or wife, or both, the homestead shall descend and rest in like manner as other real property of the deceased, and shall be governed by the same laws of descent and distribution but it shall not be partioned among the heirs of the deceased during the lifetime of the surviving husband or wife, or so long as the survivor may elect to use or occupy the same as a homestead, or so long as the guardian of the minor children of the deceased may be permitted, under the order of the proper court having the jurisdiction, to use and occupy the same.

REVISED CIVIL STATUTES OF 1879.

TITLE 9.—*Exemption from garnishment—Wages.*

ARTICLE 218. No current wages, for personal service shall be subject to garnishment; and where it appears upon the trial that the garnishee is indebted to the defendant for such current wages, the garnishee shall nevertheless be discharged as to such indebtedness.

TITLE 40.—*Exemption from execution, etc.*

ARTICLE 2335. The following property shall be reserved to every family, exempt from attachment or execution, and every other species of forced sale for the payment of debts, except as hereinafter provided:

1. The homestead of the family.
2. All household and kitchen furniture.
3. Any lot or lots in a cemetery held for the purpose of sepulture.
4. All implements of husbandry.
5. All tools, apparatus and books belonging to any trade or profession.
6. The family library and all family portraits and pictures.
7. Five milch cows and their calves.
8. Two yoke of work oxen, with necessary yokes and chains.
9. Two horses and one wagon.
10. One carriage or buggy.
11. One gun.
12. Twenty hogs.
13. Twenty head of sheep.
14. All saddles, bridles and harness necessary for the use of the family.
15. All provisions and forage on hand for home consumption; and,
16. All current wages for personal services.

ARTICLE 2337. The following property shall be reserved to persons who are not constituents of a family, exempt from attachment, execution and every other species of forced sale:

1. A lot or lots in a cemetery, held for the purpose of sepulture.
2. All wearing apparel.
3. All tools, apparatus and books belonging to any trade or profession.
4. One horse, saddle and bridle.
5. Current wages for personal services.

ARTICLE 2338. There shall be reserved to every ferryman exempt from attachment, execution and every other speces of forced sale, except as hereinafter provided, one ferry-boat, keel or flat-boat, used as a ferry-boat, with the necessary tackle for operating the same, not exceeding in value five hundred dollars; but such exemption shall not apply to any recovery for damages sustained by the negligence or other improper conduct on the part of such ferryman.

ARTICLE 2342. The exemption of personal property, provided for in this chapter, shall not apply when the debt is due for rents and advances made by a landlord to his tenant, under the provisions of Title LVIII, or to other debts which are secured by a lien on such property.

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ARTICLE 2336. The "homestead" of a family, not in a town or city, shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the improvements thereon; the homestead in a city, town or village, consisting of a lot or lots, not to exceed in value five thousand dollars at the time of their designation as the homestead, without reference to the value of any improvements thereon; *Provided*, That the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of a family; *Provided, also*, That any temporary renting of the homestead shall not change the character of the same when no other homestead has been acquired.

ARTICLE 2341. The exemption of the homestead provided for in this chapter shall not apply where the debt is due—

(1) For the purchase money of such homestead or a part of such purchase money.

(2) For taxes due thereon.

(3) For work and material used in constructing improvements thereon; but in this last case such work and material must have been contracted for in writing, and the consent of the wife, if there be one, must have been given in the same manner as is by law required in making a sale and conveyance of the homestead.

TITLE 71.—*Convict labor.*

ARTICLE 3585. The commissioners' courts of the several counties may provide for the erection of a workhouse and the establishment of a county farm in connection therewith, for the purpose of utilizing the labor of county convicts, in accordance with the provisions of the constitution.

ARTICLE 3591. County convicts shall be put to labor upon the public roads, bridges or other public works of the county, when their labor can not be utilized in the county workhouse or farm, and they shall be required to labor not less than eight nor more than ten hours each day, Sundays excepted.

ARTICLE 3597, (as amended by chapter 17, acts of 1889). When a convict who has been committed to jail in default of payment of fine and costs is required to do manual labor he shall be credited upon such fine and costs at the rate of fifty cents for each day he may labor, and upon satisfaction of such fine and costs in full at said rate he shall be discharged: *Provided*, Such work shall be performed on public streets or roads, or on county poor farms. No convict under this act shall ever be required to work or be hired for more than one year.

ARTICLE 3602, (as amended by chapter 15, acts of 1887). Any person who may be convicted of a misdemeanor or petty offense, and who shall be committed to jail in default of the payment of the fine and costs adjudged against him, may be worked upon the public roads or upon the county farms of the county in which such conviction is had, or be hired out to any individual, company or corporation within the county of conviction, to remain in said county, and the proceeds of said hiring, when collected, shall be applied, first, to the payment of the costs, and second to the payment of the fine; and every convict shall be entitled to a credit of twenty-five cents on his fine and costs for each day he may serve under such hiring, including Sunday, and he shall be discharged at any time upon payment of the balance due on his fine and costs or upon the expiration of his term of service, his term of service in no event to be greater than one day for each twenty-five cents of fine and costs: *Provided*, That in no case shall the counties be responsible to the officers for their costs, and in no case shall such convicts be hired out for a longer period than two years for failure to pay a fine and costs, and on the expiration of said time, unless by his hire such fine and costs have been sooner paid off, said convicts shall be finally discharged.

ARTICLE 3603. Such hiring may be either by private contract or at public auction, as may be deemed best for the interest of the county, or it may be by general contract for any specified term, embracing the labor of all county convicts of the class prescribed in the preceding article, at some fixed rate per day, week or month.

TITLE 78.—*Industrial training in agricultural and mechanical college.*

SECTION 3683. The leading object of this college shall be, * * * to teach such branches of learning as are related to agriculture and the mechanical arts, * * * in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

TITLE 95.—*Exemptions from taxation.*

ARTICLE 4673. The following property shall be exempt from taxation, to wit:

* * * * * * *

10. Household and kitchen furniture, not exceeding at their true and full value two hundred and fifty dollars to each family, in which may be included one sewing machine.

PENAL CODE OF 1879.

TITLE 7.—*Sunday labor.*

ARTICLE 183, (as amended by chapter 116, acts of 1887). Any person who shall hereafter labor, or compel, force, or oblige his employés, workmen, or apprentices to labor, on Sunday, * * *, shall be fined not less than ten nor more than fifty dollars.

ARTICLE 184. The preceding article shall not apply to household duties, works of necessity or charity; nor to necessary work on farms or plantations in order to prevent the loss of any crop; nor to the running of steamboats or other water crafts, rail cars, wagon trains, common carriers, nor to the delivery of goods by them or the receiving or storing of said goods by the parties, or their agents to whom said goods are delivered; nor to stages carrying the United States mail or passengers; nor to founderies, sugar mills, or herders who have a herd of stock actually gathered and under herd; nor to persons traveling; nor to ferrymen or keepers of toll-bridges, keepers of hotels, boarding houses, and restaurants and their servants; nor to keepers of livery stables and their servants; nor to any person who conscientiously believes that the seventh or any other day of the week ought to be observed as the Sabbath, and who actually refrains from business and labor on that day for religious reasons.

ARTICLE 186, (as amended by chapter 116, acts of 1887). Any merchant, grocer, or dealer in wares or merchandise, or trader in any business whatsoever, * * * who shall sell or barter, or permit his place of business * * * to be open for the purpose of traffic * * * on Sunday, shall be fined not less than twenty nor more than fifty dollars. * * *

ARTICLE 186*a*, (added by chapter 116, acts of 1887). The preceding article shall not apply to markets or dealers in provisions as to sales of provisions made by them before nine o'clock a. m., nor to the sale of burial or shrouding material, newspapers, ice, ice cream, milk, nor to the sending of telegraph or telephone messages at any hour of the day, nor to keepers of drug stores, hotels, boarding houses, restaurants, livery stables, barber shops, bath houses, or ice-dealers, nor to telegraph or telephone offices.

TITLE 9.—*Unlawful assembly.*

ARTICLE 279. An "unlawful assembly" is the meeting of three or more persons, with intent to aid each other by violence or in any other manner either to commit an offense or illegally to deprive any person of any right, or to disturb him in the enjoyment thereof.

ARTICLE 289. If the purpose of the unlawful assembly be to prevent any person from pursuing any labor, occupation or employment, or to intimidate any person from following his daily avocation, or to interfere in any manner with the labor or employment of another, the punishment shall be by fine not exceeding five hundred dollars.

TITLE 9.—*Riot.*

ARTICLE 295. If the persons unlawfully assembled together do, or attempt to do, any illegal act, all those engaged in such illegal act are guilty of riot.

ARTICLE 304. If any person, by engaging in a riot, shall prevent any other person from pursuing any labor, occupation or employment, or intimidate any other person from following his daily avocation, or interfere in any manner with the labor or employment of another, he shall be punished by confinement in the county jail not less than six months nor more than one year.

ACTS OF 1879 (REGULAR SESSION).

CHAPTER 137.—*Hours of labor.*

SECTION 1. The employés in the several departments of the state government shall be and they are hereby required to labor nine hours each secular day, under such regulations as shall be prescribed by the heads of departments; * * *.

ACTS OF 1879 (SPECIAL SESSION).

CHAPTER 45.—*Convict labor.*

SECTION 1. The "East Texas Penitentiary Board" * * * shall cause such improvements to be made and buildings to be erected as will, in its judgment, furnish employment for the largest number of convicts practicable, with machinery and tools which can be purchased and had without an extravagant outlay of money, and need not provide for the manufacture of iron exclusively, but shall provide for smelting and casting iron, and may provide for more extensive iron works, if, after experiment, it shall be found advisable.

ACTS OF 1883.

CHAPTER 114.—*Convict labor.*

SECTION 3. No lease of the penitentiaries, or either of them, shall hereafter be made, and the state shall resume control thereof; and, for the purpose of resuming control of the penitentiaries and operating the convicts on state account, or by contract, or partly by one mode, and partly by the other, as the (penitentiary) board * * * or the legislature may determine.

SECTION 4, (as amended by chapter 95, acts of 1885). It shall be the duty of the penitentiary board to confine all convicts within the walls of the penitentiaries as soon as suitable prisons can be provided for their confinement and employment in such manner that they will be self supporting, and until adequate provision is made for such confinement and employment of the convicts, they may be employed as provided in section 3 of this act; *Provided*, That the penitentiary board may at any time, if they deem it advisable, purchase a penitentiary farm or farms, upon which all convicts not self supporting may be worked by the state.

* * * * * * *

ACTS OF 1885.

CHAPTER 54.—*Unlawful employment of sailors.*

SECTION 1. No sailor or portion of the crew of any foreign vessel shall engage in working on the wharves or levees of ports in the state of Texas beyond the end of the vessel's tackle.

SECTION 2. Any officer, sailor or member of the crew of a foreign sea-going vessel violating section 1 of this act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail for not less than ten nor more than thirty days, or both in the discretion of the court or jury.

ACTS OF 1887.

CHAPTER 18.—*Intimidation of employés.*

SECTION 1. Any person who shall, by threatening words, or by acts of violence or intimidation, prevent or attempt to prevent another from engaging or remaining in or from performing the duties of any lawful employment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by confinement not less than one nor more than six months in the county jail.

CHAPTER 30.—*Railroads—Reduction of wages of employés.*

SECTION 1. All persons in the employment of any railway company shall be entitled to receive thirty days' notice from said company before their wages can be reduced by such company, and in all cases of reduction the employé shall be entitled to receive from such company wages at his contract price for the full term of thirty days after such notice is given, to be recovered in any court of competent jurisdiction.

SECTION 2. The notice referred to in this act is declared to mean thirty full days immediately prior to the day upon which such reduction is to take effect, and may be given by posting written or printed handbills, specifying the parties whose wages are to be reduced and the amount of such reduction, in at least three conspicuous places in or about each shop, section house, station, depot, train, or other places where said employés are at work: *Provided*, Such employé shall within fifteen days from the date of such notice inform such railroad company, by posting like notices as given by such railway company, whether he will or will not accept such reduction, and if no such information is given such company by such employé, then such employé shall forfeit his right to such notice, and such reduction shall take effect from the date of such notice instead of at the expiration of the thirty days.

SECTION 3. Any railway company violating or evading any of the provisions of this act shall pay to each employé affected thereby one month's extra wages, to be recovered by such employé in any court of competent jurisdiction.

CHAPTER 91.—*Employés on railroads to be paid when discharged.*

SECTION 1. Whenever any railroad company shall discharge any employé, or whenever the time of service of any employé of a railroad company shall expire, or whenever any railroad company shall be due and owing any employé, such railroad company, upon such discharge, or upon the termination of the term of such service, or upon the maturity of such indebtedness, shall, within fifteen days after demand therefor upon the nearest station agent of said railroad company, pay to such employé the full amount due and owing him; and in case said railroad company fails or refuses to pay such employé, then it shall be liable and pay to such employé twenty per cent. on the amount due him as damages, in addition to the amount so due, in no case the damages to be less than five nor more than one hundred dollars.

CHAPTER 92.—*Intimidation of railroad employés.*

SECTION 1. Any person or persons who shall, by force, threats, or intimidation of any kind whatever, against any railroad engineer or engineers, or any conductor, brakeman, or other officer or employé, employed or engaged in running any passenger train, freight train, or construction train running upon any railroad in this state, prevent the moving or running of said passenger, freight, or construction train, shall be deemed guilty of an offense, and upon conviction thereof each and every person so offending shall be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and also imprisoned in the county jail for any period of time not less than three months nor more than twelve months.

SECTION 2. Each day said train or trains mentioned in section 1 of this act are prevented from moving on their road as specified in section 1 of this act shall be deemed a separate offense, and shall be punished as prescribed in section 1 of this act.

* * * * * * *

ACTS OF 1889.

CHAPTER 107.—*Collection of claims for labor against railroads.*

SECTION 1. After the time when this act shall take effect any person in this state having a valid bona fide claim for personal services rendered or labor done * * * against any railway corporation operating a railroad in this state, and the amount of such claim does not exceed fifty dollars, may present the same, verified by his affidavit, for payment to such corporation by filing it with any station agent of such corporation in any county where suit may be instituted for the same, and if, at the expiration of thirty days after such presentation, such claim has not been paid or satisfied, he may immediately institute suit thereon in the proper court; and if he shall finally establish his claim, and obtain judgment for the full amount thereof, as presented for payment to such corporation in such court, or any court to which the suit may have been appealed, he shall be entitled to recover the amount of such claim and all costs of suit, and in addition thereto all reasonable attorney's fees, provided he has an attorney employed in his case, not to exceed ten dollars, to be assessed and awarded by the court or jury trying the issue.

UTAH.

COMPILED LAWS OF 1888.

PART SECOND.

CHAPTER 6.—*Convict labor.*

SECTION 187. The county courts in their respective counties have jurisdiction and power * * *

* * * * * * *

28. To provide for the working of prisoners confined in the county jail, under judgment of conviction of a misdemeanor, (when under such judgment of conviction or existing laws said prisoners are liable to labor) under the direction of some responsible person, upon the public grounds, roads, streets, alleys, highways, or public buildings for the benefit of the county.

PART THIRD

CHAPTER 10.—*Exemption from taxation.*

SECTION 2009. All property, real and personal, situate and being in this territory, is taxable, except:

* * * * * * *

7. Private libraries and libraries of professional persons, not exceeding three hundred dollars in value.

* * * * * * *

12. Wearing apparel, beds, bedding, stoves, chairs, etc., not exceeding one hundred dollars ($100) in value for each family.

CHAPTER 17.—*Mine shafts to be fenced.*

SECTION 2240. Any person who sinks a shaft on the public domain or commons, either prospecting for coal, silver or other minerals, or for ventilating coal, silver or other mines, shall enclose such shaft with a substantial curb or fence, at least four and one-half feet high.

SECTION 2242. Any person failing to comply with the provisions of this act, is guilty of a misdemeanor, and shall be liable for all damages.

PART TENTH.

PART 2.—*Exemption from execution, etc.*

SECTION 3429. The following property is exempt from execution, except as herein otherwise specially provided:

1. Chairs, tables, desks, and books, to the value of two hundred dollars, belonging to the judgment debtor.

2. Necessary household, table and kitchen furniture, belonging to the judgment debtor, to the value of three hundred dollars; also one sewing machine, hanging pictures, oil paintings and drawings, drawn or painted by any member of the family, and portraits and their necessary frames, provisions, actually provided for individual or family use, sufficient for three months; two cows with their sucking calves, and two hogs and their sucking pigs.

3. The farming utensils or implements of husbandry of a farmer not exceeding in value the sum of three hundred dollars; also two oxen, or two horses, or two mules, and their harness, one cart or wagon, and food for such oxen, horses, cows or mules for sixty days; also, all seed grain, or vegetables actually provided, reserved, or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars.

4. The tools, tool-chest and implements of a mechanic or artisan, necessary to carry on his trade, not exceeding in value the sum of five hundred dollars; the notarial seal and records of a notary public; the instruments and chests of a surgeon, physician, surveyor, and dentist, necessary to the exercise of their pro-

fessions, with their scientific and professional libraries, and the law professional libraries and office furniture of attorneys, counselors, and judges, and the libraries of ministers of the gospel.

5. The cabin or dwelling of a miner not exceeding in value the sum of five hundred dollars; also his sluices, pipes, hose, windlass, derrick, cars, pumps, and tools not exceeding in value two hundred dollars.

6. Two oxen, two horses or two mules, and their harness: and a cart or wagon, one dray or truck, by the use of which a cartman, drayman, truckman, huckster, peddler, hackman, teamster, or other laborer habitually earns his living: and one horse with vehicle and harness, or other equipments, used by a physician, surgeon or minister of the gospel, in making his professional visits, with hay and grain for said horse sufficient for three months.

7. One-half of the earnings of the judgment debtor for his personal services, rendered at any time within sixty days next preceding the levy of execution or levy of attachment, when it appears by the debtor's affidavit or otherwise, that such earnings are necessary for the use of his family, residing in this territory, supported wholly or in part by his labors.

* * * * * * *

11. If the debtor be the head of a family, there shall be a further exemption of a homestead, to be selected by the debtor, consisting of lands, together with the appurtenances and improvements thereon, not exceeding in value the sum of one thousand dollars, for the judgment debtor, and the further sum of five hundred dollars for his wife and two hundred and fifty dollars for each other member of the family.

PART TWELFTH.

TITLE 9.—*Sunday labor.*

SECTION 4515. Every person who keeps open on Sunday any store, workshop, bar, saloon, banking house, or other place of business, for the purpose of transacting business therein, is punishable by fine not less than five nor more than one hundred dollars.

SECTION 4519. Every person who performs any unnecessary labor, or does any unnecessary business on Sunday, is guilty of a misdemeanor, and shall be fined in any sum not exceeding twenty-five dollars.

SECTION 4520. Labor employed by employés of such works as are usually kept in constant operation, and in irrigating, is not included in the foregoing section.

SECTION 4521. For the purpos s of this act, Sunday shall commence at midnight Saturday and terminate the following midnight.

ACTS OF 1890.

CHAPTER 43.—*Bureau of statistics.*

SECTION 1. A bureau of statistics is hereby created, and the territorial librarian is hereby made the territorial statistician.

* * * * * * *

SECTION 2. It shall be the duty of the territorial statistician, on or before the first day of January of each year, to prepare and cause to be furnished to the county clerks of the several counties for delivery to the county assessors, suitable blank forms for the collection of statistics as hereinafter provided by this act.

SECTION 5. Any person who is required by this act to give information and refuses, upon proper request so to do shall be subject to a penalty of not less than five dollars nor more than two hundred dollars to be recovered by suit in any court of competent jurisdiction upon complaint of any person before such court and it shall be the duty of the district or county attorney of the proper county to prosecute such suit at the expense of the county for the use of the school fund of such county.

SECTION 6. Each county assessor shall * * * when he returns the assessment rolls * * * return to the county clerk of his county at the same time a carefully tabulated estimate for the preceding year of * * * the number and kinds of industrial concerns with the number of people employed and the amount of wages paid, the value of their plants, the amount and value of their annual product, horse power employed, how acquired whether by steam, water

or other means, capital invested the number of stores of each kind respectively in each town, city and county, capital invested, amount of annual sales, number of employés, wages paid, population of each town and city in his county and the population of his county. The assessors and their deputies shall receive such compensation for their services herein required as the county courts may determine. And each county clerk shall without delay forward such tabulated statements and estimates to the territorial statistician, who shall compile the same and on or before the first day of October transfer them to the secretary of the territory. The territorial statistician shall also and at the same time furnish the secretary further statistics of the territory showing the number of miles of railway main lines and sidings, miles of street railway and kinds of motive power with mileage of each, number of companies engaged in each kind of mining, capital invested, number of hands employed, amount of wages paid, annual output in tons and value, number of smelters and stamping-mills, average cost of reducing ores, number of hands employed, wages paid, tons reduced, and number of, nature and capital of all new business enterprises and incorporations of the preceding year, also the selling prices in the principal markets of the territory of the various kinds of produce, fruits stock, annual products and leading articles manufactured in this territory.

VERMONT.

REVISED LAWS OF 1880.

CHAPTER 22.—*Exemption from taxation.*

SECTION 270, (as amended by act No. 4, acts of 1886). The following property shall be exempt from taxation:

* * * * * * *

X. Household furniture of every person, not exceeding five hundred dollars in value; wearing apparel; private and professional libraries; mechanics' tools, and farmers' tools including carts, wagons and vehicles, necessary to carry on their respective occupations; provisions necessary for the consumption of the family of a person for one year; fowls; sheep, cattle, horses and swine, not more than four months old on the first day of April, and hay and produce sufficient to winter out the stock; and for each person one wagon, one sleigh, and harnesses for using the same. But no pleasure wagon or other vehicle, valued at more than one hundred dollars, shall be exempt from taxation.

[Added by act No. 4, acts of 1886:] One watch, not exceeding the value of twenty dollars.

CHAPTER 63.—*Exemption from garnishment, etc.—Wages.*

SECTION 1075. * * * a person [shall not] be adjudged a trustee by reason of wages or compensation due the principal debtor for work and labor performed by him in person after the service of the trustee process upon the trustee; and no earnings of a minor, or married woman, shall be subject to the trustee process in a suit against the parent of such minor or husband of such married woman.

CHAPTER 83.—*Exemption from execution, etc.—Personal property.*

SECTION 1556, (as amended by act No. 137, acts of 1884). The goods or chattels of a debtor may be taken and sold on execution, except the following articles, which shall be exempt from attachment and execution, unless turned out to the officer to be taken on the attachment or execution by the debtor: such suitable apparel, bedding, tools, arms, and articles of household furniture as may be necessary for sustaining life, one sewing machine kept for use, one cow, the best swine or the meat of one swine, sheep not exceeding in number ten, and one year's product of said sheep, in wool, yarn or cloth, forage sufficient for keeping not exceeding ten sheep and one cow through one winter, ten cords of fire wood or five tons of coal, twenty bushels of potatoes, the pistols, side arms and equipments of a soldier in the service of the United States, and kept by him or his heirs as mementoes of his service, growing crops, ten bushels of grain, one barrel of flour, three swarms of bees and their hives with their produce in honey, two hundred pounds of sugar, lettered gravestones, the Bibles and

other books used in a family, one pew or slip in a meeting house or place of religious worship, live poultry not exceeding in value the sum of ten dollars, the professional books and instruments of physicians, and the professional books of clergymen and attorneys at law, to the value of two hundred dollars, one yoke of oxen or steers, as the debtor may select, two horses kept and used for team work, and such as the debtor may select in lieu of oxen or steers, but not exceeding in value the sum of two hundred dollars, with sufficient forage for the keeping of the same through the winter; * * * . There shall be exempt as aforesaid, also, one two-horse wagon with whiffletrees and neck yoke, or one one-horse wagon used for purposes of teaming, or one ox cart, as the debtor may choose; one sled, or one set of traverse sleds, either for horses or oxen, as the debtor may select; two harnesses, two halters, two chains, one plow, and one ox yoke, which with the oxen or steers or horses which the debtor may select for team work, shall not exceed in value two hundred and fifty dollars; * * * . There shall be exempt as aforesaid, also, one tool chest kept for use by a mechanic; * * * .

CHAPTER 93.— *Wages preferred—In assignments.*

SECTION 1867, (as amended by act No. 53, acts of 1886). * * * In the order for dividends under this chapter, the following claims shall be entitled to priority or preference, and be paid in the following order:

First. The fees, costs, and expenses of suits, and the several proceedings in insolvency under this chapter, and for the care and custody of property as herein provided.

Second. Debts due the United States, and taxes and assessments made under the laws thereof.

Third. All debts due the state, and taxes and assessments under the laws thereof.

Fourth. Wages due any employé, clerk or house servant, to an amount not exceeding fifty dollars for labor performed within six months next preceding the date of the adjudication of insolvency.

CHAPTER 95.—*Exemption from execution, etc.—Homesteads.*

SECTION 1894. The homestead of a housekeeper or head of a family, consisting of a dwelling house, outbuildings, and the land used in connection therewith, not exceeding five hundred dollars in value, and used or kept by such housekeeper or head of a family as a homestead, shall, together with the rents, issues, profits, and products thereof, be exempt from attachment and execution, except as hereinafter provided.

SECTION 1898. If such housekeeper or head of a family dies, leaving a widow or minor children, his homestead to the value aforesaid shall pass to and rest in such widow or children, or, if there are both, in such widow and children, without being subject to the payment of the debts of the deceased, unless legally charged thereon in his lifetime; * * * .

SECTION 1901. Such homestead shall be subject to attachment and levy of execution upon causes of action existing at the time of acquiring the homestead, except as herein otherwise provided, * * * .

CHAPTER 100.— *Wages preferred—In attachments.*

SECTION 1991. If a person or company is compelled to stop business by reason of attachments upon mesne process and does not resume business within thirty days, and is indebted to an employé for wages, such employé may attach the same property upon his debt and the attachment shall take precedence over such prior attachment to an amount not exceeding fifty dollars, if made before sale thereof on execution.

CHAPTER 126.—*Power of selectmen as to children in manufactories.*

SECTION 2518. The selectmen shall inquire into the treatment of minors employed in manufacturing establishments in their respective towns; and if, in their opinion, the education, morals, health, food, or clothing of any such minor is unreasonably neglected, or he is treated with improper severity or abuse, or is compelled to labor at unreasonable hours or times, or in an unreasonable manner, they shall, if such minor is not a servant or apprentice bound under the provisions of this chapter, and if he has no parent or guardian resid-

ing in this state, discharge him from such employment, and, with his consent, bind him as a servant or apprentice to some other person; * * * .

CHAPTER 157.—*Contractor's bond—Security for wages of railroad employés.*

SECTION 3372. A railroad company shall require sufficient security from the contractors for the payment of labor performed in constructing the road by persons in their employ; and such company shall be liable, to the day-laborers employed by the contractors, for labor actually performed on its road, if the person having such claim shall, in writing, within forty days after the performance of the labor, notify the engineer in charge of the section on which the labor was performed, that he has not been paid by the contractors.

CHAPTER 196.—*Intimidation of employés.*

SECTION 4226. A person who threatens violence or injury to another person with intent to prevent his employment in a mill, manufactory, shop, quarry, mine or railroad, shall be imprisoned not more than three months or fined not more than one hundred dollars.

SECTION 4227. A person who, by threats or intimidation, or by force, alone or in combination with others, affrights, drives away and prevents another person from accepting, undertaking or prosecuting such employment with intent to prevent the prosecution of work in such mill, shop, manufactory, mine, quarry or railroad, shall be imprisoned in the state prison not more than five years or fined not more than five hundred dollars.

CHAPTER 202.—*Sunday labor.*

SECTION 4315. A person who between twelve o'clock Saturday night and sunset on the following Sunday exercises any business or employment except such only as works of necessity and charity, * * * shall be fined not more than two dollars.

CHAPTER 202.—*Employment, hours of labor, etc., of children.*

SECTION 4320. An owner, agent, superintendent or overseer of a manufacturing or mechanical establishment who knowingly employs or permits to be employed in such establishment a child under ten years of age, or employs a child under fifteen years of age more than ten hours in one day, and a parent or guardian who allows or consents to such employment, shall be fined fifty dollars.

CHAPTER 204.—*Convict labor.*

SECTION 4349. The directors of the state prison and house of correction may contract for not exceeding five years to any person the labor of all or part of the convicts in the state prison or house of correction in such manner and on such terms as they judge best for the state; * * *. They may also * * * sell articles belonging to the institution proper to be sold.

ACTS OF 1882.

ACT No. 4.—*Exemption from taxation.*

SECTION 1. An owner of fowls to the value of more than twenty dollars shall be subject to taxation for the amount of the value of such fowls in excess of twenty dollars.

ACTS OF 1884.

ACT No. 93.—*Conditional sale of personal property.*

SECTION 1. No personal property sold conditionally, upon which there is reserved a lien duly recorded, shall be removed from the state without the consent of the vendor or his assignee.

SECTION 2. When the sum, for which the lien upon personal property sold conditionally was given, is paid and satisfied, the vendor or his assignee shall discharge the same.

SECTION 3. Liens on personal property sold conditionally may be discharged by an entry on the margin of the record thereof, in the town clerk's office where recorded, signed by the vendor, his executor, administrator, assignee or attorney acknowledging satisfaction of the lien, or by an entry on the writing creating the lien signed as aforesaid, acknowledging satisfaction, duly recorded on the margin of the record of the lien in the town clerk's office, or by a release of the lien signed as aforesaid and duly recorded in the town clerk's office.

SECTION 4. If the vendor or his executor, administrator or assignee, after performance of the condition before or after breach thereof, shall not, after ten days after being thereto requested and after tender of reasonable charges, discharge such lien in one of the ways provided in the foregoing section, he shall be liable for damages occasioned thereby, to be recovered in an action on the case.

SECTION 5. The vendor of personal property sold conditionally, with a lien reserved thereon, or his assignee may, after thirty days from the time of condition broken, cause the property on which the lien exists, or so much thereof as may be necessary, to be taken and sold at public auction by a public officer at a public place in the town where the person giving the lien resides or where the property is, notice of the time place and purpose of such sale being posted at two or more public places in such town, at least ten days prior thereto; notice of such sale shall also be given to the vendee of the time and place of sale, in writing, delivered to him or left at his abode, if living within the town, or sent by mail if he does not reside in such town, at least ten days previous to the sale, and if the property is not redeemed by the payment of the amount due and costs and expenses incurred by such breach of condition the property shall be sold as posted.

SECTION 6. The proceeds of such sales shall be applied to the payment of the lien and the costs and expenses of keeping the property, and sale, and the balance, if any, shall be paid to the vendee [*sic*] or the person holding under him, on demand.

ACT No. 140.—*Earnings of married women.*

SECTION 2, (as amended by act No. 84, acts of 1888). All personal property * * * acquired [by a married woman] in any manner during coverture, except by gift from her husband, shall be held to her sole and separate use, and neither a wife's separate property nor the rents, issues, income and products (of) the same shall be subject to the disposal of her husband or liable for his debts; * * *.

ACTS OF 1886.

ACT No. 86.—*Inspection, etc., of steam boilers.*

SECTION 1. Upon application of three reputable citizens, the selectmen of any town, or the mayor of any city in this state, or any person duly authorized by them, may, after notice to the parties interested, examine any stationary steam engine or steam boiler therein, and for that purpose may enter any house, shop, or building, and if upon examination it appears probable that the use of such engine or boiler is unsafe, they shall give the parties interested so far as known an opportunity to be heard, and if upon such hearing they shall adjudge such engine or boiler unsafe, defective, or unfit to be used, they may issue an order prohibiting the use thereof until it is rendered safe. If after notice to the owner or person having charge thereof, such engine or boiler is used contrary to such order, such owner or person so offending shall forfeit ten dollars for each day he so uses the same, to be recovered to the use of such town or city, in an action of debt brought in the name of such town.

ACTS OF 1888.

ACT No. 9.—*Employment of children.*

SECTION 154. No child between ten and fourteen years of age, who has resided in the state one year, shall be employed in a mill or factory unless such child shall have attended a public school twenty weeks during the preceding year,

and shall deposit with the owner or person in charge of such mill or factory a certificate showing such attendance, signed by the teacher of such school.

SECTION 155. The supervisor of schools may inquire of the owner or person in charge of a mill or factory as to the employment of children therein; and may call for the production of the certificates required to be deposited with such person, and ascertain if there is any violation of the law in the employment of such children.

SECTION 156. No person, after the first day of July, one thousand eight hundred and eighty-nine, shall give employment to any child under fourteen years of age who can not read and write, but is capable of receiving such instruction, during the time when the school which such person should attend is in session.

SECTION 157. A person who shall violate the provisions of section one hundred and fifty-three or of section one hundred and fifty-four, or of section one hundred and fifty-six * * *, or who shall refuse to give the information or exhibit the certificates required to be given and exhibited by section one hundred and fifty-five * * *, shall forfeit not less than ten nor more than fifty dollars, * * *.

ACT No. 22.—*Railroads—Blocking of frogs, switches, and guard rails.*

SECTION 1. Every railroad company operating a railroad or part of a railroad in this state, shall, before the first day of December, 1889, adjust, fill or block with a wooden block or wedge the frogs, switches and guard-rails on its tracks, with the exception of guard-rails on bridges, so as to prevent the feet of its employés from being caught therein. The work shall be done to the satisfaction of the railroad commissioners evidenced by the certificate of their clerk.

ACTS OF 1890.

ACT No. 75.—*Factories—Bells, whistles, etc.*

SECTION 1. Manufacturers and others employing workmen are authorized, for the purpose of giving notice to such employés, to ring bells and use whistles and gongs of such size and weight, in such manner and at such hours as the board of aldermen of cities, the trustees of incorporated villages and the selectmen of towns may in writing designate.

VIRGINIA.

CONSTITUTION OF 1869.

ARTICLE XI.—*Exemption from execution etc.*

SECTION 1. Every householder or head of a family shall be entitled, in addition to the articles now exempt from levy or distress for rent, to hold exempt from levy, seizure, garnisheeing or sale, under any execution, order or other process, issued on any demand for any debt * * *, his real and personal property, or either, including money and debts due him, * * * to the value of not exceeding two thousand dollars, to be selected by him: *Provided*, That such exemption shall not extend to any execution, order or other process issued on any demand in the following cases:

(1) For the purchase price of said property, or any part thereof.

(2) For services rendered by a laboring person or a mechanic.

(3) For liabilities incurred by any public officer, or officer of a court, or any fiduciary, or any attorney at law for money collected.

(4) For a lawful claim for any taxes, levies or assessments, * * *.

(5) For rent * * *.

(6) For the legal or taxable fees of any public officer, or officers of a court, * * *.

SECTION 4. The general assembly is hereby prohibited from passing any law staying the collection of debts, commonly known as "stay laws"; * * *.

SECTION 5. The general assembly shall, * * * prescribe in what manner and on what conditions the said householder or head of a family shall thereafter set apart and hold for himself and family, a homestead out of any property hereby

exempted, and may, in its discretion, determine in what manner and on what conditions he may thereafter hold, for the benefit of himself and family such personal property as he may have, and coming within the exemption hereby made. But this section shall not be construed as authorizing the general assembly to defeat or impair the benefits intended to be conferred by the provisions of this article.

SECTION 7. The provisions of this article shall be construed liberally, to the end that all the intents thereof may be fully and perfectly carried out.

CODE OF 1887.

CHAPTER 6.—*Contracts for labor made in a foreign country to be valid.*

SECTION 44. A contract for labor for a term of service, not exceeding two years, made in a foreign country, with a person who shall immigrate to this State, and duly attested by the United States consul or commercial agent at the port where such immigrant shall embark, shall be respected and enforced to the same extent and in the same manner as if made within the state.

CHAPTER 103.—*Earnings of married women.*

SECTION 2287. * * * all work and labor performed by her [a married woman] for a person other than her husband or her children, shall, unless there be an express agreement to the contrary, be presumed to be on her separate account. The products and earnings of such * * *, work, and labor shall be her separate estate, * * * .

CHAPTER 109.—*Conditional sale of personal property.*

SECTION 2462. Every sale or contract for the sale of goods or chattels, wherein the title is reserved until the same be paid for in whole or in part, or the transfer of the title is made to depend on any condition, and possession be delivered to the vendee, shall be void as to creditors of, and purchasers for value without notice from, such vendee, unless such sale or contract be evidenced by writing executed by the vendor, in which the said reservation or condition is expressed, and until and except from the time the said writing is duly admitted to record in the county or corporation in which said goods or chattels may be, or, if said goods and chattels consist of locomotives, cars, or other rolling stock, equipments, or personal property of any description, to be used in or about the operation of any railroad, until and except from the time the said writing is duly admitted to record in the clerk's office of the county or corporation court of the county or corporation, wherein the principal office in this state of the company operating the railroad is located, or in the clerk's office of the chancery court of the city of Richmond, if said principal office is within the corporate limits of the said city, and a copy of said writing be filed in the office of the board of public works, and each locomotive, car, or other piece of the rolling stock be plainly and permanently marked with the name of the vendor on both sides thereof followed by the word "owner."

CHAPTER 178.—*Exemption from execution, etc.—Homesteads.*

SECTION 3630. Every householder residing in this state, shall, in addition to the property or estate which he is entitled to hold exempt from levy, distress, or garnishment, under sections thirty-six hundred and fifty, thirty-six hundred and fifty-one, and thirty-six hundred and fifty-two, be entitled to hold exempt from levy, seizure, garnishment, or sale, under any execution, order, or process issued on any demand for any debt or liability on contract, his real and personal estate, or either, to be selected by him, including money and debts due him, to the value of not exceeding two thousand dollars: *Provided*, That such exemption shall not extend to any execution, order, or other process issued on any demand in the following cases:

First, For the purchase price of said estate, or any part thereof;

Second, For services rendered by a laboring person, or a mechanic;

Third, For liabilities incurred by any public officer, officer of a court, fiduciary, or by any attorney-at-law for money collected by him;

Fourth, For a lawful claim for any taxes, levies, or assessments;
Fifth, For rent;
Sixth, For the legal or taxable fees of any public officer, or officer of a court;
Seventh, For any debt or liability on contract, as to which the debtor or party to the contract has waived, as hereinafter provided, the exemption which he is entitled to claim under this section.

SECTION 3631. In order to secure the benefit of the exemption of real estate under the preceding section, the householder shall, by a writing signed by him and duly admitted to record, to be recorded as deeds are recorded, in the county or corporation wherein such real estate, or any part thereof, is, declare his intention to claim such benefit, and select and set apart the real estate to be held by him as exempt, and describe the same with reasonable certainty, * * *. Equitable as well as legal estates may be so selected and set apart.

SECTION 3638. If the householder does not set apart any real estate as before provided, or if what he does or has so set apart is not of the value of two thousand dollars, he may (in addition to the property or estate which he is entitled to hold exempt under sections thirty-six hundred and fifty, thirty-six hundred and fifty-one, and thirty-six hundred and fifty-two), in the first case, select and set apart to be held by him as exempt under section thirty-six hundred and thirty, so much of his personal estate as shall not exceed in value the sum of two thousand dollars, and, in the latter case, personal estate, the value of which, when added to the value of the real estate set apart, does not exceed the said sum.

CHAPTER 178.—*Exemption from execution, etc.—Personal property.*

SECTION 3650, (as amended by chapter 128, acts of 1889–'90). The articles which a householder, in addition to the foregoing exemption, may hold exempt from levy or distress. In addition to the estate, not exceeding in value two thousand dollars, which every householder residing in this State shall be entitled to hold exempt as provided in the preceding sections of this chapter, he shall also be entitled to hold exempt from levy or distress the following articles, or so much or so many thereof as he may have, except that the live stock so exempted under this and the following section of this chapter shall not be exempt from any levy or distress made under the provisions of chapter ninety-three of this code:

First, The family bible.
Second, Family pictures, school-books, and library for the use of family not exceeding in all one hundred dollars in value.
Third, A seat or pew in any house or place of public worship.
Fourth, A lot in a burial ground.
Fifth, All necessary wearing apparel of the debtor and his family; all beds, bedsteads, and bedding necessary for the use of such family; and all stoves and appendages put up and kept for the necessary use of the family, not exceeding three.
Sixth, One cow and her calf till one year old, one horse, six chairs, six plates, one table, six knives, six forks, one dozen spoons, two dishes, two basins, one pot, one oven, six pieces of wooden or earthenware, one loom and its appurtenances, one safe or press, one spinning wheel, one pair of cards, one ax, two hoes, ten barrels of corn, or in lieu thereof twenty-five bushels of rye or buckwheat, five bushels of wheat or one barrel of flour, two hundred pounds of bacon or pork, three hogs, ten dollars in value of forage or hay, one cooking stove and utensils for cooking therewith, and one sewing machine; and in the case of a mechanic, the tools and utensils of his trade not exceeding one hundred dollars in value; and in case of an oysterman or fisherman, his boat and tackle not exceeding two hundred dollars in value; if the boat and tackle exceed two hundred dollars in value the same shall be sold, and out of the proceeds the oysterman or fisherman shall first receive two hundred dollars in lieu of such boat and tackle.

SECTION 3651. If the householder be at the time actually engaged in the business of agriculture, there shall also be exempt from such levy or distress, while he is so engaged, to be selected by him or his agent, the following articles, or so many thereof as he may have, to wit: one yoke of oxen, or a pair of horses or mules in lieu thereof (unless he selects or has selected a horse or mule under the preceding section, in which case he shall be entitled to select under this section only one), with the necessary gearing, one wagon or cart, two plows, one drag, one harvest cradle, one pitchfork, one rake, and two iron wedges.

SECTION 3652. Wages owing to a laboring man being a householder, not exceeding fifty dollars per month, shall also be exempt from distress, levy, or garnishment.

SECTION 3653. Upon the death of a householder, leaving a widow, minor children, or daughters who have never married, there shall be vested in them or such of them as there may be, absolutely and exempt from sale for funeral expenses, or debts of the decedent, or charges of administration on his estate, such of his property as would, if he were alive and a householder, be exempt under section thirty-six hundred and fifty from levy or distress for his debts.

SECTION 3657, (as amended by chapter 349, acts of 1887-'88). The word "householder" used in this chapter shall be equivalent to the expression "householder or head of a family," and the term "laboring man" shall be construed to include all householders who receive wages for their services.

CHAPTER 185.—*Sunday labor.*

SECTION 3799. If a person, on a Sabbath day, be found laboring at any trade or calling, or employ his apprentices or servants in labor or other business, except in household or other work of necessity or charity, he shall forfeit two dollars for each offense. * * *

SECTION 3800. The forfeiture, declared by the preceding section, shall not be incurred by any person who conscientiously believes that the seventh day of the week ought to be observed as a Sabbath, and actually refrains from all secular business and labor on that day, provided he does not compel an apprentice or servant, not of his belief, to do secular work or business on a Sunday, and does not on that day disturb any other person.

SECTION 3801. No railroad company, receiver, or trustee controlling or operating a railroad, shall, by an agent or employee, load, unload, run, or transport upon such road on a Sunday, any car, train of cars, or locomotive, nor permit the same to be done by any such agent or employee, except where such cars, trains, or locomotives are used exclusively for the relief of wrecked trains, or trains so disabled as to obstruct the main track of the railroad; or for the transportation of the United States mail; or for the transportation of passengers and their baggage; or for the transportation of live stock; or for the transportation of articles of such perishable nature as would be necessarily impaired in value by one day's delay in their passage: *Provided however*, That if it should be necessary to transport live stock or perishable articles on a Sunday to an extent not sufficient to make a whole train-load, such train-load may be made up with cars loaded with ordinary freight.

SECTION 3802. The word "Sunday" in the preceding section shall be construed to embrace only that portion of the day between sunrise and sunset; and trains *in transitu* having started prior to twelve o'clock on Saturday night, may, in order to reach the terminus or shops of the railroad, run until nine o'clock the following Sunday morning, but not later.

SECTION 3803. Any railroad company, receiver, or trustee violating the provisions of section thirty-eight hundred and one, shall be deemed to have committed a separate offense in each county or corporation in which such car, train of cars, or locomotive shall run, or in which such car or train of cars shall be loaded or unloaded; and shall be fined not less than fifty nor more than one hundred dollars for each offense.

CHAPTER 202.—*Convict labor.*

SECTION 4125. The convicts shall be kept to the hardest labor suitable to their sex and fitness, and such of them, as need it, instructed in some mechanic art.

SECTION 4130. The superintendent shall, at the discretion and under the direction of the Governor, employ them at Richmond, or within twenty miles thereof, in improving, repairing, or working on the public buildings, grounds, and property, or executing work under contract with individuals or companies, or in cultivating rented grounds for the use of the penitentiary.

SECTION 4131. He shall have authority to furnish to the Hollywood and Oakwood Memorial Associations, from time to time, as may be necessary, a sufficient force of convict labor to keep in order the graves and sections wherein are buried the Confederate soldiers of the army of northern Virginia in said cemeteries.

SECTION 4132. The governor, at the request of the president of the Virginia State Agricultural Society, may, in his discretion, order the employment of convicts on the grounds of said society, imposing such conditions and restrictions as he may deem proper.

SECTION 4133. The governor shall have authority to furnish to any county in the State, upon the requisition of the board of supervisors of such county, approved by the judge of the county court, convicts whose term of service, at the time of the application for them, does not exceed five years, to work on the county roads, under such regulations as the board of supervisors may prescribe in conformity with this chapter, and on such conditions as to safe-keeping as the governor and said board may agree upon: *Provided*, That if the supervisors shall deem it best that the convicts furnished be employed on any turnpike or macadamized road in their county, the said board may so employ them or arrange for their employment on such road with the company authorized to construct the same.

SECTION 4136. After providing for all demands under section forty-one hundred and thirty-three, the governor shall have authority to hire to any railroad company in this state, to which counties are subscribers, any convicts which may remain in the penitentiary, or who may be employed under existing contracts in any quarry or on any railroad to which counties are not subscribers, whose term of service at the time of application for them does not exceed ten years; *Provided*, Such contracts can be lawfully canceled.

SECTION 4138, (as amended by chapter 243, acts of 1889–'90). The railroads projected to run through counties without railroads, and through those having the least number of miles of taxable railroad, shall be first supplied. After all demands under sections forty-one hundred and thirty-three and forty-one hundred and thirty-six have been filled, the governor, may, in his discretion, hire the remaining convicts, or any of them, to any contractor, to be employed on any work of internal improvement in the state, on the same conditions, except that the state shall receive as compensation not less than thirty cents in lawful money for each day's labor actually performed.

ACTS OF 1887 (EXTRA SESSION).

CHAPTER 391.—*Payment of wages.*

SECTION 1. All persons, firms, companies, corporations, or associations in this commonwealth, engaged in mining coal, ore, or other minerals, or mining and manufacturing them, or either of them, or manufacturing iron or steel, or both, or any other kind of manufacturing, shall pay their employés as provided in this act.

SECTION 2. All persons, firms, companies, corporations, or associations engaged in the business aforesaid shall settle with their employés at least once in each month, and pay them the amounts due them for their work or services in lawful money of the United States, or by the cash order as described and required in section three of this act: *Provided*, That nothing herein contained shall affect the right of an employé to assign the whole or any part of his claim against his employer.

SECTION 3, (as amended by chapter 118, acts of 1887–'88). From and after the passage of this act, it shall not be lawful for any person, firm, company, corporation, or association, engaged in the business aforesaid, their clerk, agent, officer, or servant in this state, to issue for payment of labor, any order, or other payment whatever, unless the same purports to be redeemable for its face value in lawful money of the United States, made payable on demand and without condition, to employé or bearer, bearing interest at legal rate, and redeemable by the person, firm, company, corporation, or association, giving, making, or issuing the same; and any person, firm, company, corporation, or association engaged in the business aforesaid, their clerks, agents, officers, or servants, who shall issue for payment of labor any paper or order, other than the one herein specified, in violation of this section, shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding one hundred dollars in the discretion of the court.

SECTION 4. From and after the passage of this act, it shall be unlawful for any person, firm, company, corporation, or association engaged in mining or manufacturing, either or both, as aforesaid, and who shall likewise be either engaged or interested, directly or indirectly, in merchandising as owner or otherwise, in any money per centum, profit, or commission arising from the sale of any such merchandise, their clerks, servants, officers or agents, to knowingly and willfully sell or cause to be sold to any employé, any goods, merchandise, or supplies whatever for a greater per centum of profit than merchandise and sup-

plies of like character, kind, quality, and quantity are sold to other customers buying for cash and not employed by them; and shall any person or member of any firm, company, corporation, or association, his or their clerk, agent, or servant, violate this section of this act, they shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one hundred dollars, in the discretion of the court.

ACTS OF 1889-'90.

CHAPTER 49.—*Sunday labor.*

SECTION 1. No steamboat company shall, by any agent or employee, load or unload on a Sunday any steamship or steamboat arriving at any port or landing on the bays, rivers, or other waters of this state, or permit the same to be done by any such agent or employee, except where such steamship or steamboat is for the transportation of the United States mails, or for the transportation of passengers and their baggage, or for the transportation of through freight in *transitu*, or of live stock, or of articles of such perishable nature as would be necessarily impaired in value by one day's delay in their passage: *Provided*, That nothing in this act shall be construed as preventing any steamship or steamboat arriving at any port or landing on the bays, rivers, and other waters of this state, not its final point of destination, from unloading any and all freight intended for delivery at such intermediate port or landing, or from loading or taking on any and all freight intended for shipment from such intermediate port or landing, to the final destination of said steamship or steamboat.

SECTION 2. Any steamship or steamboat company violating the provisions of this act shall be deemed to have committed a separate offence in each county or corporation in which said steamship or steamboat shall land and be unloaded, and shall be fined in a sum not less than fifty nor more than one hundred dollars for each offence.

CHAPTER 193.—*Employment, hours of labor, etc., of women and children.*

SECTION 1. No female and no child under fourteen years of age shall work as an operative in any factory or in any factory or manufacturing establishment in this state more than ten hours in any one day of twenty-four hours. All contracts made or to be made for the employment of any female or of any child under fourteen years of age, as an operative in any factory or manufacturing establishment to work more than ten hours in any one day of twenty-four hours, are and shall be void.

SECTION 2. Any person having the authority to contract for the employment of persons as operatives in any factory or manufacturing establishment, who shall engage or contract with any female or any child under fourteen years of age to work as an operative in such factory or manufacturing establishment during more than ten hours in any one day of twenty-four hours, shall be guilty of a misdemeanor, and be fined not less than five nor more than twenty dollars.

CHAPTER 199.—*Fire-escapes on factories, etc.*

SECTION 1. It shall be the duty of the owner or owners of all factories, workshops, * * * in this state of over three stories in height, * * * to provide for the safe exit of the occupants thereof in case of fire, by the erection or construction of fire-escapes of the most approved modern design.

SECTION 2. The character and design of said fire-escapes shall, in cities and towns, be selected by the council of said cities and towns; and where the buildings are not located in cities and towns, by a board composed of the county judge, the county school superintendent, and the chairman of the board of supervisors.

SECTION 3. Any owner or owners of such buildings shall have the right to require the council of the city or town in which said buildings are located, or in the counties the board designated by this act, to make such selection of said fire-escapes as is provided by this act; and, in case of their failure or refusal, they shall be compellable by mandamus.

SECTION 4. Any owner or owners of such buildings who shall fail to comply with the first section of this act * * * shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, for each month they shall fail to provide such fire-escape.

WASHINGTON.

CONSTITUTION.

ARTICLE 2.—*Convict labor—Contract system prohibited.*

SECTION 29. After the first day of January, eighteen hundred and ninety, the labor of convicts of this state shall not be let out by contract to any person, co-partnership, company or corporation, and the legislature shall by law provide for the working of convicts for the benefit of the state.

ARTICLE 2.—*Bureau of statistics, agriculture, and immigration.*

SECTION 34. There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.

ARTICLE 2.—*Protection of employés—Life and health.*

SECTION 35. The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life or deleterious to health; and fix pains and penalties for the enforcement of the same.

ARTICLE 19.—*Exemptions from execution, etc.*

SECTION 1. The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families.

ARTICLE 27.—*Territorial laws in force in state.*

SECTION 2. All laws now in force in the territory of Washington, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature; * * * .

TERRITORIAL CODE OF 1881.

CHAPTER 32.—*Exemption from execution, etc.—Homesteads.*

SECTION 342. There shall be * * * exempt from execution and attachment to every householder, being the head of a family, a homestead not exceeding in value the sum of one thousand dollars, while occupied as such by the owner thereof, or his or her family. Said homestead may consist of a house and lot or lots in any city, or of a farm, consisting of any number of acres, so that the value of the same shall not exceed the aforesaid sum of one thousand dollars. Such homestead may be selected any time before sale.

SECTION 343. When any person dies seized of a homestead, leaving a widow, or husband, or minor children, the survivors shall be entitled to the homestead, but in case there be neither surviving husband, widow or children, the said homestead shall be liable for the debts of the deceased.

SECTION 346. In case of the sale of said homestead, any subsequent homestead acquired by the proceeds thereof, shall also be exempt from attachment and execution, nor shall any judgment or other claim against the owner of such homestead be a lien against the same in the hands of a bona fide purchaser for a valuable consideration.

CHAPTER 32.—*Exemption from execution, etc.—Personal property.*

SECTION 347, (as amended by act of Jan. 29, 1886, page 96, acts of 1885-'86). The following property shall be exempt from execution and attachment, except as hereinafter specially provided:

First. All wearing apparel of every person and family.

Second. All private libraries not to exceed five hundred ($500) dollars in value, and all family pictures and keepsakes.

Third. To each householder one bed and bedding and one additional bed and bedding for each additional member of the family, and other household goods and utensils and furniture not exceeding five hundred ($500) dollars coin in value. * * *

Fourthly. To each householder two cows, with their calves, five swine, two stands of bees, thirty-six domestic fowls, and provisions and fuel for the comfortable maintenance of such householder and family for six months, also feed for such animals for six months: *Provided*, That in case such householder shall not possess, or shall not desire to retain the animals named above, he may select from his property and retain other property not to exceed two hundred and fifty dollars ($250) coin in value. * * *

Fifthly. To a farmer one span of horses or mules with harness, or two yoke of oxen, with yokes and chains and one wagon; also farming utensils actually used about the farm, not exceeding in value five hundred ($500) dollars in coin; also one hundred and fifty bushels of wheat; one hundred and fifty bushels of oats or barley; fifty bushels of potatoes; ten bushels corn; ten bushels peas, and ten bushels of onions for seeding purposes.

Sixthly. To a mechanic, the tools and instruments used to carry on his trade for the support of himself and family, also material used in his trade not exceeding in value five hundred dollars in coin.

Seventhly. To a physician, his library, not to exceed in value five hundred dollars in coin; also one horse with harness and buggy; the instruments used in his practice, and medicines not exceeding in value two hundred dollars in coin.

Eighthly. To attorneys, clergymen, and other professional men their libraries, not exceeding one thousand dollars in coin value, also office furniture, fuel and stationery not exceeding in value two hundred dollars in coin.

Ninthly. All firearms kept for the use of any person or family.

Tenthly. To any person a canoe, skiff or small boat, with its oars, sails and rigging, not exceeding in value two hundred and fifty dollars.

Eleventhly. To a person engaged in lightering for his support or that of his family, one or more lighters, barges or scows, and a small boat with oars, sails and rigging not exceeding in the aggregate two hundred and fifty dollars in coin value.

Twelfthly. To a teamster or drayman engaged in that business for the support of himself or his family, his team, consisting of one span of horses, or mules, or two yoke of oxen, or a horse and mule with harness, yokes, one wagon, truck, cart or dray.

Thirteenthly. To a person engaged in the business of logging, for his support or that of his family, three yoke of work cattle and their yokes, and axes, chains, implements for the business, and camp equipments, not exceeding three hundred dollars coin in value.

Fourteenthly. A sufficient quantity of hay, grain or feed to keep the animals mentioned in the several subdivisions of this chapter, for six weeks. But no property shall be exempt from an execution issued upon a judgment for the price thereof, or any part of the price thereof, or for any tax levied thereon. Each person shall be entitled to select the property to which he is entitled under the several subdivisions of this act.

CHAPTER 139.—*Wages preferred—In assignments.*

SECTION 1972. In all assignments of property made by any person to trustees or assignees on account of the inability of the person at the time of the assignment to pay his debts, or in proceedings in insolvency, the wages of the miners, mechanics, salesmen, servants, clerks or laborers employed by such persons to the amount of one hundred dollars, each, and for services rendered within sixty days previously, are preferred claims, and must be paid by such trustees or assignees before any other creditor or creditors of the assignor.

CHAPTER 139.—*Wages preferred—In administration.*

SECTION 1973. In case of the death of any employer, the wages of each miner, mechanic, salesman, clerk, servant and laborer for services rendered within sixty days next preceding the death of the employer, not exceeding one hundred dollars, rank in priority next after the funeral expenses, expenses of the last sickness, the charges and expenses of administering upon the estate and the allowance to the widow and infant children, and must be paid before other claims against the estate of the deceased person.

CHAPTER 139.—*Wages preferred—In executions, attachments, etc.*

SECTION 1974. In cases of executions, attachments and writs of similar nature issued against any person, except for claims for labor done, any miners, mechanics, salesmen, servants, clerks and laborers who have claims against the defendant for labor done, may give notice of their claims and the amount thereof, sworn to by the person making the claim to the creditor and the officer executing either of such writs at any time before the actual sale of property levied on, and unless such claim is disputed by the debtor or a creditor, such officer must pay to such person out of the proceeds of the sale, the amount each is entitled to receive for services rendered within sixty days next preceding the levy of the writ, not exceeding one hundred dollars. If any or all the claims so presented and claiming preference under this chapter, are disputed by either the debtor or a creditor, the person presenting the same must commence an action within ten days from the recovery thereof, and must prosecute his action with due diligence, or be forever barred from any claim of priority of payment thereof; * * *.

CHAPTER 148.—*Sunday labor.*

SECTION 2067. It shall be unlawful for any person or persons of this [territory] to open on Sunday for the purposes of trade, or sale of goods, wares and merchandise, any shop, store or building, or place of business whatever: *Provided*, That this chapter shall apply to hotels only in so far as the sale of intoxicating liquors is concerned, and shall not apply to drug stores, livery stables and undertakers.

SECTION 2068. Any person or persons violating the foregoing section shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than twenty-five nor more than one hundred dollars.

CHAPTER 183.—*Earnings of married women.*

SECTION 2413. The earnings and accumulations of the wife and of her minor children living with her, or in her custody while she is living separate from her husband, are the separate property of the wife.

TERRITORIAL ACTS OF 1887-'88.

CHAPTER 12.—*Contractor's bond—Security for wages of employés on public works.*

SECTION 1. Whenever the board of county commissioners of any county of this [territory], or the mayor and common council of any incorporated city or town or the tribunal transacting the business of any municipal corporation shall contract with any person or persons to do any work of any character which, if performed for any individual, a right of lien would exist under the law, or make any improvement for such county, incorporated city or town, or other municipal corporation such board of county commissioners or mayor and common council of any incorporated town or city, or tribunal transacting the business of any other municipal corporation, shall take from the person with whom such contract is made, a good and sufficient bond with two or more sureties, who shall justify as bail upon arrest, which bond shall be conditioned that such person shall pay all laborers, mechanics and material-men and persons who shall supply such contractor with provisions or goods of any kind, all just debts due to such persons or to any person to whom any part of such work is given, incurred in carrying on such work; which bond shall be filed by such board, or mayor and common council or other tribunal, in the office of the county auditor in the county where such work is to be performed or improvement made.

SECTION 2. If any board of county commissioners of any county, or mayor and common council of any incorporated city or town, or tribunal transacting the business of any municipal corporation shall fail to take such bond as herein required, such county, incorporated city or town, or other municipal corporation, shall be liable to the persons mentioned in the first section of this act, to the full extent and for the full amount of all such debts so contracted by such contractor.

SECTION 3. The bond mentioned in the first section of this act shall be in amount equal to the full contract price agreed to be paid for such work or improvement, and shall be to the territory of Washington, and all such persons men-

tioned in said first section of this act shall have a right of action in his, her or their own name or names on such bond, for the full amount of all debts against such contract [contractor] or for work done by such laborers or mechanics and for the materials furnished, or provisions and goods supplied and furnished in the prosecution of such work, or the making of such improvements.

CHAPTER 21.—*Coal mine regulations and inspection.*

SECTION 1. The owner or agent, operator, of each and every coal mine in this territory, shall make, or cause to be made, at the discretion of the inspector, or person acting in that capacity, an accurate map or plan of the workings, of such coal mine, and of each and every vein thereof, showing the general inclination of the strata, together with any material deflections in said workings, and the boundary lines of said coal mines, and deposit a true copy of said map or plan with the inspector of coal mines, to be filed in his office, said map or plan, with the recorder of the county in which said coal mine is situated, to be filed in his office, both of which said copy shall be deposited as aforesaid within three months from the day when this act shall go into effect; and the original or a copy of such map or plan, shall also be kept for inspection at the office of said coal mine: and during the month of January of each and every year, after this act shall go into effect, the said owner, agent or operator, shall furnish the inspector as aforesaid, with a statement and further map or plan, of the progress of the workings of such coal mine, continued from the last report to the end of the December month just preceding, and the inspector shall correct his map or plan of said workings in accordance with the statement and map or plan thus furnished; and when any coal mine is worked out or abandoned, that fact shall be reported to the inspector, and the map or plan of such coal mine in the office of said inspector shall be carefully corrected and verified.

SECTION 2. Whenever the owner, agent or operator of any coal mine shall neglect or refuse to furnish the said inspector as aforesaid, with the statement, the map or plan, or addition thereto, as provided in the first section of this act, at the times and in the manner therein provided, the said inspector is hereby authorized to cause an accurate map or plan of the workings of such coal mine to be made at the expense of said owner, agent or operator, and the cost thereof may be recovered by law from said owner, agent or operator, in the same manner as other debts, by suit in the name of the inspector and for his use.

SECTION 3. In all coal mines that are, or have been in operation prior to the first day of January, in the year of our Lord, one thousand eight hundred and eighty-eight, and which are worked by or through a shaft, slope or drift, if there is not already an escapement shaft to each and every said coal mine, or communication between each and every coal mine, and some other contiguous mine, then there shall be an escapement shaft or other communication, such as shall be approved by the mine inspector, making at least two distinct means of ingress and egress for all persons employed or permitted to work in such coal mine; such escapement shaft should be a downcast and an upcast, and located three hundred yards from the engine house. Such escapement shaft or other communication with a contiguous mine as aforesaid, shall be constructed in connection with every vein and stratum of coal worked in such coal mine, which shall be at least three and one-half feet high, and at least five feet wide, and in no instance shall the height of such roadway be less than the thickness of the vein or stratum of coal through which it is driven; and the time to be allowed for such construction shall be one year, when such mine is under five hundred feet in depth; two years for all mines over five hundred (500) feet in depth from the first day of July, A. D. 1888; and in all cases where the working force of one mine has been driven up to or into the workings of another mine, the respective owners of such mines, while operating the same, shall keep open a roadway, at least five feet high and five feet wide, thereby forming a communication as contemplated in this act; and for a failure to do so, shall be subject to the penalty provided for in section ten of this act, for each and every day such roadway is unnecessarily closed; each and every such escapement shaft shall be separated from the main shaft by such extent of natural strata as shall secure safety to the men employed in such mines, such distance to be left to the discretion of the mine inspector or person acting in that capacity, and shall be equipped with stairways or ladders, having landing places or platforms at least every twenty feet from the bottom to the top, or in lieu thereof such hoisting apparatus as will enable the employés in the mine to make safe and speedy exit in case of danger. In all coal mines that shall go into operation for the first time after the first day of January, A. D. eighteen hundred and eighty-eight, and in all cases where such

mine or mines shall hereafter be put in operation in this territory the owner thereof, or the lessee or occupant of the same shall construct an escapement shaft as is required by this act to be constructed in coal mines in this territory at the rate of five hundred feet per annum until such escapement shaft shall have been fully completed: *And provided further*, That nothing in this section shall be construed to extend the time heretofore allowed by law for constructing escapement shafts in mines going into operation for the first time before said first day of January, A. D. eighteen hundred and eighty-eight.

SECTION 4. The owner, agent or operator of every coal mine, whether operated by shaft, slope or drift, shall provide and maintain in every such mine a good and sufficient amount of ventilation for such men and animals as may be employed therein, the amount of air in circulation to be in no case less than one hundred cubic feet for each man per minute and six hundred cubic feet for each animal per minute, measured at the foot of the downcast, and the same to be increased at the discretion of the inspector, according to the character and extent of the workings, or the amount of powder used in blasting; and said volume of air shall be forced and circulated to the face of every working place throughout the mine, so that said mine shall be free from standing powder smoke and gases of every kind. In all mines where fire-damp is generated, every working place, where the same is known or thought to exist, shall be examined every morning with a safety-lamp, by a competent person, before any other persons are allowed to enter, and whenever the inspector shall find men working without sufficient air, or under any unsafe condition, he may remove the same to other parts of the mine or from the mine altogether. The inspector shall visit and inspect breasts and working faces of the mines and leave a mark as to safety. The ventilation required by this section may be produced by any suitable appliances, but in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining the upcast with incombustible material for a sufficient distance up from said furnace: *Provided*, It shall not be lawful to use a furnace for ventilating purposes, or for any other purposes, that shall emit smoke into any compartment constructed in, or adjoining any coal-hoisting shaft or slope, where the hoisting shaft or slope is the only means provided for the ingress or egress of persons employed in said coal mines. That it shall be unlawful where there is but one means of ingress or egress provided at a coal-shaft or slope, to construct and use a ventilating furnace that shall emit smoke into a shaft as an upcast, where the shaft or slope used as a means of ingress or egress by persons employed in said coal mines is the only means provided for furnishing air to persons employed therein.

SECTION 5. The owner, agent or operator shall provide that bore holes shall be kept twenty feet in advance of the face of each and every working place, and, if necessary, on both sides, when driving towards an abandoned mine or part of a mine suspected to contain inflammable gases, or to be inundated with water.

SECTION 6. The owner, agent or operator of every coal mine operated by shaft shall provide suitable means of signaling between the bottom and top thereof, and shall also provide safe means of hoisting and lowering persons in a cage covered with boiler iron, so as to keep, safe as far as possible, persons descending into and ascending out of such shaft, and such cage shall be furnished with guides to conduct it on slides through such shaft, with a sufficient brake on every drum to prevent accident in case of the giving out or breaking of the machinery; and such cage shall be furnished with spring catches intended and provided, as far as possible, to prevent the consequences of cable breaking or the loosening or disconnecting of the machinery; and no props or rails shall be lowered in a cage while men are descending into or ascending out of said mine. The hoisting ropes shall be inspected by the manager of the mine or his agent with respect to safety each morning; *Provided*, That the provisions of this section, relating to covering cages with boiler iron, shall not apply to coal mines less than one hundred feet in depth, where the coal is raised with horse-power. No person under the age of fifteen years, or females of any age, shall be permitted to enter any mine to work therein. Any party or person neglecting or refusing to perform the duties required to be performed by sections three, four, five, six, seven and eight shall be deemed guilty of a misdemeanor and punished by a fine in the discretion of the court trying the same, subject, however, to the limitations as provided by section ten of this act.

SECTION 7. No owner, agent or operator of any coal mine, operated by shaft or slope, shall place in charge of any engine, whereby men are lowered into o

boundary lines of said coal mines, and deposit a true copy of said map or
with the inspector of coal mines, to be filed in his office, said map or plan,
the recorder of the county in which said coal mine is situated, to be filed in
office, both of which said copy shall be deposited as aforesaid within three mo
from the day when this act shall go into effect; and the original or a co
such map or plan, shall also be kept for inspection at the office of said coal m
and during the month of January of each and every year, after this act sha
into effect, the said owner, agent or operator, shall furnish the inspect
aforesaid, with a statement and further map or plan, of the progress of the w
ings of such coal mine, continued from the last report to the end of the Decem
month just preceding, and the inspector shall correct his map or plan of
workings in accordance with the statement and map or plan thus furnished:
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mine has been driven up to or into the workings of another mine, the respecti
owners of such mines, while operating the same, shall keep open a roadway,

mine or mines shall hereafter be put in operation in this territory the owner thereof, or the lessee or occupant of the same shall construct an escapement shaft as is required by this act to be constructed in coal mines in this territory at the rate of five hundred feet per annum until such escapement shaft shall have been fully completed: *And provided further*, That nothing in this section shall be construed to extend the time heretofore allowed by law for constructing escapement shafts in mines going into operation for the first time before said first day of January, A. D. eighteen hundred and eighty-eight.

SECTION 4. The owner, agent or operator of every coal mine, whether operated by shaft, slope or drift, shall provide and maintain in every such mine a good and sufficient amount of ventilation for such men and animals as may be employed therein, the amount of air in circulation to be in no case less than one hundred cubic feet for each man per minute and six hundred cubic feet for each animal per minute, measured at the foot of the downcast, and the same to be increased at the discretion of the inspector, according to the character and extent of the workings, or the amount of powder used in blasting; and said volume of air shall be forced and circulated to the face of every working place throughout the mine, so that said mine shall be free from standing powder smoke and gases of every kind. In all mines where fire-damp is generated, every working place, where the same is known or thought to exist, shall be examined every morning with a safety-lamp, by a competent person, before any other persons are allowed to enter, and whenever the inspector shall find men working without sufficient air, or under any unsafe condition, he may remove the same to other parts of the mine or from the mine altogether. The inspector shall visit and inspect breasts and working faces of the mines and leave a mark as to safety. The ventilation required by this section may be produced by any suitable appliances, but in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining the upcast with incombustible material for a sufficient distance up from said furnace: *Provided*, It shall not be lawful to use a furnace for ventilating purposes, or for any other purposes, that shall emit smoke into any compartment constructed in, or adjoining any coal-hoisting shaft or slope, where the hoisting shaft or slope is the only means provided for the ingress or egress of persons employed in said coal mines. That it shall be unlawful where there is but one means of ingress or egress provided at a coal-shaft or slope, to construct and use a ventilating furnace that shall emit smoke into a shaft as an upcast, where the shaft or slope used as a means of ingress or egress by persons employed in said coal mines is the only means provided for furnishing air to persons employed therein.

SECTION 5. The owner, agent or operator shall provide that bore holes shall be kept twenty feet in advance of the face of each and every working place, and, if necessary, on both sides, when driving towards an abandoned mine or part of a mine suspected to contain inflammable gases, or to be inundated with water.

SECTION 6. The owner, agent or operator of every coal mine operated by shaft shall provide suitable means of signaling between the bottom and top thereof, and shall also provide safe means of hoisting and lowering persons in a cage covered with boiler iron, so as to keep, safe as far as possible, persons descending into and ascending out of such shaft, and such cage shall be furnished with guides to conduct it on slides through such shaft, with a sufficient brake on every drum to prevent accident in case of the giving out or breaking of the machinery; and such cage shall be furnished with spring catches intended and provided, as far as possible, to prevent the consequences of cable breaking or the loosening or disconnecting of the machinery; and no props or rails shall be lowered in a cage while men are descending into or ascending out of said mine. The hoisting ropes shall be inspected by the manager of the mine or his agent with respect to safety each morning; *Provided*, That the provisions of this section, relating to covering cages with boiler iron, shall not apply to coal mines less than one hundred feet in depth, where the coal is raised with horse-power. No person under the age of fifteen years, or females of any age, shall be permitted to enter any mine to work therein. Any party or person neglecting or refusing to perform the duties required to be performed by sections three, four, five, six, seven and eight shall be deemed guilty of a misdemeanor and punished by a fine in the discretion of the court trying the same, subject, however, to the limitations as provided by section ten of this act.

SECTION 7. No owner, agent or operator of any coal mine, operated by shaft or slope, shall place in charge of any engine, whereby men are lowered into or

hoisted out of the mines, any but an experienced, competent and sober person not under the age of eighteen years: and no person shall ride upon a loaded cage or wagon used for hoisting purposes in any shaft or slope, and in no case shall more than twelve persons ride on any cage or car at one time, nor shall any coal be hoisted out of any coal mine while persons are descending into such coal mine: and the number of persons to ascend out of or descend into any coal mine, on one cage, shall be determined by the inspector, the maximum number so fixed shall not be less than four nor more than twelve, nor shall be lowered or hoisted, nor no man [*sic*] shall handle the bell rope, except the man in charge at the bottom of the shaft.

SECTION 8. All boilers used in generating steam in and about coal mines shall be kept in good order, and the agent, owner or operator, as aforesaid, shall have said boilers examined and inspected by a competent boilermaker, or other qualified person, as often as once every six months, and oftener if the inspector shall deem it necessary, and the result of every such examination shall be certified in writing, to the mine inspector; and the top of each and every shaft, and the entrance to each and every intermediate working vein, shall be securely fenced by gates properly covering and protecting such shaft and entrance thereto; and the entrance to every abandoned slope, air or other shaft shall be securely fenced off; and every steam boiler shall be provided with a proper steam gauge, water gauge and safety valve; and all underground, self-acting or engine planes, or gangways, on which coal cars are drawn and persons travel, shall be provided with some proper means of regulating between the stopping places and the end of said planes or gangways, and sufficient places of refuge at the sides of such planes or gangways shall be provided at intervals of not more than twenty feet apart.

SECTION 9. Whenever loss of life, or serious personal injury shall occur by reason of any explosion, or of any accident whatsoever, in or about any coal mine, it shall be the duty of the person having charge of such coal mine to report the facts thereof, without delay, to the mine inspector of the district in which said coal mine is situated: and if any person is killed thereby, to notify the coroner of the county also, or in his absence or inability to act, any justice of the peace of said county; and the said inspector shall; if he deem it necessary from the facts reported, immediately go to the scene of said accident, and make such suggestion and render such assistance as he may deem necessary for the safety of men. And the inspector shall investigate and ascertain the cause of such explosion or accident, and make a report thereof, which he shall preserve with the other records of his office; and to enable him to make such investigations, he shall have power to compel the attendance of witnesses, and administer oaths or affirmations to them, and the cost of such investigations shall be paid by the county in which such accident has occurred, in the same manner as costs of coroners' inquests are now paid. And the failure of the person in charge of the coal mine in which any such accident may have occurred, to give notice to the inspector or coroner, as provided for in this section, shall subject such person to a fine of not less than twenty-five dollars nor more than one hundred dollars, to be recovered in the name of the people of the territory of Washington, before any justice of the peace of such county, and such fine, when collected, shall be paid into the county treasury for the use of the county in which any such accident may have occurred.

SECTION 10. In all other cases in which punishment is provided by fine under this act for a breach of any of its provisions, the fine for a first offense shall not be less than five hundred dollars and not more than one thousand dollars, and for the second offense not less than one thousand dollars nor more than two thousand dollars, in the discretion of the court, except as specially provided for in section nine of this act.

SECTION 11. The first and second judicial districts shall constitute the first inspection district, the third and fourth judicial districts shall constitute the same [*sic*] inspection district; an inspector of coal mines for each of said districts shall be appointed by the governor, by and with the advice and consent of the territorial council. * * * Each inspector shall be a qualified elector and have a knowledge of mining engineering sufficient to conduct the development of coal mines, and a practical knowledge of the methods of conducting mining for coal in the presence of explosive gases, and of the proper ventilation of coal mines. He shall have had a practical mining experience of ten years, two of which shall have been in this territory and shall not be interested as owner, operator, stockholder, superintendent or mining engineer of any coal mine during his term of office, and shall be of good moral character and temperate habits, and shall not be guilty of any act tending to the injury of miners or operators of mines during his term of office. The inspectors shall be provided by the terri-

tory with the most approved modern instruments for carrying out the intention of this act. * * *

SECTION 12. The inspectors provided for by this act shall devote their whole time and attention to the duties of their office, and make personal examination of every mine within their respective districts, and shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in such mines, and that the provisions and requirements of the mining laws of this territory are faithfully observed and obeyed and the penalties of the same enforced. * * *

SECTION 13. That when two or more coal mines are so located as to allow the said mines to be connected by permanent entries between and the land or mining rights lying between such mines is owned by any person or persons with whom the owner or owners of said mine or mines are unable to agree for the purchase of the right of way for the connecting entry or entries between such mines, and the right to maintain and use such entry as a connecting entry is claimed, such owner or owners of any such coal mine or mines, or either of them, may acquire such right or title in the manner that may be now or hereafter provided by any law of eminent domain.

SECTION 14. It shall be lawful for the inspector, provided for in this act, to enter, examine and inspect any and all coal mines and machinery belonging thereto, at all reasonable times, by day or by night, but so as not to obstruct or hinder the necessary workings of such coal mines, and the owner, agent or operator of every such coal mine is hereby required to furnish all necessary facilities for entering and making such examination and inspection, and if the said owner, agent or operator aforesaid shall refuse to permit such inspection, the inspector shall file affidavit setting such refusal with the judge of the district court in said county in which said mine is situated and obtain an order on such owner, agent or operator so refusing as aforesaid, commanding him to permit and furnish such necessary facilities for the inspection of such coal mine, or to be adjudged to stand in contempt of court and punished accordingly, and if the said inspector shall after examination of any coal mine and the works and machinery pertaining thereto, find the same to be worked contrary to the provisions of this act, or unsafe for the workmen therein employed, said inspector shall, through the prosecuting attorney of his county, or any attorney, in case of his refusal to act, acting in the name and on behalf of the territory, proceed against the owner, agent or operator of such coal mine by injunction without bond, after giving at least two days' notice to such owner, agent or operator; and said owner, agent or operator shall have the right to appear before the judge to whom the application is made who shall hear the same on affidavits and such other testimony as may be offered in support as well as in opposition thereto, and if sufficient cause appear, the court or judge in vacation by order shall prohibit the further working of any such coal mine in which persons may be unsafely employed contrary to the provisions of this act, until the same shall have been made safe and the requirements of this act shall have been complied with, and the court shall award such costs in the matter of said injunction as may be just; but any such proceedings so commenced shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this act.

SECTION 15. For any injury to person or property, occasioned by any wilful violations of this act or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case of loss of life by reason of such wilful violation or wilful failure as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heirs or adopted children or to any other person or persons who were before such loss of life dependent for support on the person or persons so killed for a like recovery of damages for the injuries sustained by reason of such loss of life or lives: *Provided*, That the occurrence of any accident in such mine or mines which shall result in injury or death to any person employed therein, shall be *prima facie* evidence of neglect upon the part of the person or corporation operating such mine: *And provided further*, That no employee or his legal representative shall be debarred recovery in such action where the injury was occasioned by the negligence of a co-employee, unless such employee was selected and employed by such person.

SECTION 16. Any miner, workman or other person who shall knowingly injure any water-gauge, barometer, air-course or brattice, or shall obstruct, or throw open any air-ways, or carry any lighted lamps or matches into places that are worked by the light of safety lamps, or shall handle or disturb any part of the machinery of the hoisting engine, or open a door in the mine and not have

the same closed again, whereby danger is produced, either to the mine or those at work therein; or who shall enter into any part of the mine against caution: or who shall disobey any order given in pursuance of this act; or who shall do any wilful act whereby the lives and health of persons working in the mine, or the security of the mine or mines or the machinery thereof is endangered, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine and imprisonment, at the discretion of the court: *Provided*, That where such wilful violations of the provisions of this act shall result in death, that the owner, operator, manager or managing officer of the corporation or other person so violating the provisions of this act shall be deemed guilty of murder.

SECTION 17. The owner, agent or operator of any coal mine shall keep a sufficient supply of timber, where required to be used as props, so that the workmen may at all times be able to properly secure the said workings from caving in: and it shall be the duty of the owner, agent or operator to send down all such props when required, and the same to be delivered at the entrance to the working face.

SECTION 18. That all mines hoisting coal by steam power, from shaft or slope, having no other means of ingress or egress than that afforded to persons employed therein and [than] by said shaft or slope, shall * * * have all engine and boiler houses roofed and sided with fireproof materials, and they shall be situated not less than fifty feet from the mouth of the said shaft or slope; that the hoisting derricks erected over said hoisting shaft or near said slope, if inclosed, and all the coal chutes, buildings and constructions, within a radius of fifty feet of the mouth of the said hoisting shaft or slope, shall be covered and sided with fireproof materials; and the person in charge, the owners or operators thereof, shall provide a steam pump and have the same conveniently situated, and a sufficient supply of water and hose always ready for use in any part of the buildings, chutes or constructions within a radius of fifty feet of said coal-hoistings, shaft, or slope; and if the person in charge of any such coal shaft or slope shall refuse or neglect to comply with the provisions of this act, then the inspector of coal mines for the county in which the said shafts or slope is situated, shall proceed, through the prosecuting attorney of his county, or any attorney, in case of his refusal to act, acting in the name and on behalf of the territory, against the owner, agent or operator of said shaft or slope, by injunction, without bond, after giving at least two days notice to such owner, agent or operator; and the said owner, agent or operator shall have the right to appear before the judge to whom the application is made, who shall hear the same on affidavits, and such other testimony as may be offered, in support as well as in opposition thereto; and if it be found that the owner, agent or operator of said shaft or slope has refused or neglected to comply with the provisions of this act, the court, or judge in vacation, by order, shall prohibit the further workings of any such coal shaft or slope until the owner, agent or operator shall have complied with the terms of this act.

SECTION 19. The use of iron needles and iron tamping bars, not tipped with five inches of copper, is hereby declared unlawful. Any failure on the part of a coal miner, or an employee in any coal mine, to conform to the terms and requirements of this act, shall subject such minor or employee to a fine of not less than five dollars nor more than twenty-five dollars, with costs of prosecution for each offense, to be recovered by civil suit before any justice of the peace; said fines, when collected, to be paid into the treasury of the county where the offense was committed, to the credit of the fund provided for the payment of the county inspector of mines.

SECTION 20. It shall be the duty of the grand jury of each county or at least once a year or oftener, if so directed by the judge of district court, to inspect all coal mines in operation and worked in such county, and certify their condition to the court, as in the case of the inspection of jails and other public institutions. It shall also be the duty of the coroner of the county when death results from accident in the operation and working of any coal mine, to hold an inquest as to the cause of death, as in case of death from any unknown cause, and reduce to writing the testimony of witnesses taken before the coroner's jury or have the same reduced to writing under his direction, and he shall forthwith file the written testimony with the clerk of such court; and if death results from any wilful act in violation of the provisions of this act, he shall also recognize such witnesses to appear and testify at the next term of the district court of the county.

SECTION 21. That all contractors for the mining of coal, in which the weighing of coal as provided for in this act, shall be dispensed with, shall be null and void.

CHAPTER 128.—*Payment of wages in orders, etc.*

SECTION 1. It shall not be lawful for any corporation, person or firm engaged in manufacturing of any kind in this territory, mining, railroading, constructing railroads, or any business or enterprise of whatsoever kind in this territory, to issue, pay out or circulate for payment of wages of any labor, any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise than in lawful money of the United States, unless the same is negotiable and redeemable at its face value, without discount, in cash or [on] demand, at the store or other place of business of such firm, person or corporation when [*sic*] the same issued, and the person who, or company which may issue any such order, check, memorandum, token or other evidence of indebtedness shall upon presentation and demand redeem the same in lawful money of the United States.

SECTION 2. Any officer or agent of any corporation, or any person, firm or company engaged in the business of manufacturing of any kind in this territory, mining, railroading, constructing railroads, or any other business or enterprise of whatsoever kind in this territory, who by themselves or agent shall issue or circulate in payment for wages of labor any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise than in lawful money of the United States, without being payable as required by the first section of this act, or who shall fail to redeem this [the] same when presented for payment or demand on said company or its agent, at his or their office or place of business, in lawful money of the United States, where the said order, check, memorandum, token or evidence of indebtedness was issued, or who shall compel or attempt to coerce any employé of any such corporation, person, firm or company to purchase goods, wares, merchandise or supplies from any particular person, firm or corporation, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding three hundred dollars, or upon failure to pay such fine to be imprisoned in the jail of the county where the misdemeanor is committed until the said fine is exhausted by imprisonment, as provided by the laws of this territory, for each and every offense.

SECTION 3. And whenever any person or persons, company or corporation is compelled to sue for the recovery of the face value of check, memorandum, token or evidence of indebtedness, issued or circulated for the payment of wages for labor, by reason of the failure of any person, firm, company or person [corporation] issuing the same failing or refusing to pay the same on demand, as provided by the first section of this act, then in such case, if judgment should be granted the plaintiff, the court shall tax an attorney's fee of not less than ten nor more than twenty-five dollars to said judgment, and the further sum of twenty-five dollars as damages to the plaintiff, suffered by the plaintiff by reason of being compelled to sue the said claim: *Provided*, That no plaintiff shall recover more than the face value of his said claim where the payment is refused by reason of a dispute as to the ownership of the said claim, or where it appears satisfactorily to the court or jury that the defendant had a sufficient excuse for the refusal of the payment of the said claim; the burden to prove the said sufficient excuse being on the defendant, and should the court or jury find such sufficient excuse, the same is to be specified in the judgment or verdict of said court or jury.

SECTION 4. This act is not to be construed as affecting any bona-fide contract heretofore entered into contrary to its provisions and existing at the date of the passage hereof, and continuing by reason of limitation of said contract being still in force.

ACTS OF 1890 (STATE).

Convict labor.

(Page 25.)

SECTION 1. There be and hereby is appropriated out of any funds in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars additional * * * for the purchase of necessary plant for the manufacture of grain sacks, or for such other purpose as the * * * commissioners may deem most desirable and beneficial, at the penitentiary at Walla Walla.

SECTION 2. The board of commissioners in charge of the penitentiary are

hereby authorized to expend so much of the amount of twenty-five thousand dollars as may be necessary, for engines, tools, machinery, fixtures and raw material as may be necessary to keep employed the prisoners in the penitentiary, and to provide for the sale of goods therein manufactured.

Seats for female employés.

(Page 104.)

SECTION 1. It shall be the duty of every agent, proprietor, superintendent or employer of female help in stores, offices or schools within the state of Washington to provide for each and every such employé a chair, stool or seat, upon which such female worker or workers shall be allowed to rest when their duties will permit, or when such rest shall or does not interfere with a faithful discharge of their incumbent duties.

SECTION 2. A violation of any of the provisions of section 1 of this act shall be deemed a misdemeanor, and upon conviction thereof by any court of competent jurisdiction, shall subject the person offending to a fine of not less than ten dollars nor more than fifty dollars.

Safety apparatus for mine shafts.

(Page 121.)

SECTION 7. It shall be unlawful for any person or persons, company or companies, corporation or corporations, to sink or work through any vertical shaft at a greater depth than one hundred and fifty feet, unless the said shaft shall be provided with an iron-bonneted safety cage, to be used in the lowering and hoisting of the employés of such person or persons, company or companies, corporation or corporations. The safety apparatus, whether consisting of eccentrics, springs or other device, shall be securely fastened to the cage, and shall be of sufficient strength to hold the cage loaded at any depth to which the shaft may be sunk, provided the cable shall break. The iron bonnet aforesaid shall be made of boiler sheet iron of a good quality, of at least three-sixteenths of an inch in thickness, and shall cover the top of said cage in such manner as to afford the greatest protection to life and limb from any matter falling down said shaft.

SECTION 8. Any person or persons, company or companies, corporation or corporations, who shall neglect, fail or refuse to comply with the provisions of section 7 of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars.

Sex no disqualification for employment.

(Page 519.)

SECTION 1. Hereafter in this state every avenue of employment shall be open to women; and any business, vocation, profession and calling followed and pursued by men may be followed and pursued by women, and no person shall be disqualified from engaging in or pursuing any business, vocation, profession, calling or employment on account of sex: *Provided*, That this act shall not be construed so as to permit women to hold public office.

Exemption from taxation.

(Page 532.)

SECTION 5. All property described in this section, to the extent herein limited, shall be exempt from taxation, that is to say—

* * * * * * *

Eighth. The personal property of each householder and head of a family, liable to assessment and taxation under the provisions of this act, of which such individual is the actual and *bona fide* owner, to an amount not exceeding three hundred dollars in value: *Provided*, That each person shall list all of his per-

sonal property for taxation, and the county assessor shall deduct the amount of the exemption authorized by this section from the total amount of his assessment, and assess the remainder.

State geologist to inspect mines.

(Page 647.)

SECTION 1. The mining bureau shall, * * *, with the advice and consent of the senate, appoint a state geologist, who shall be a person known to be competent; * * *.

SECTION 8. The state geologist shall, at least once in each year, visit each mining county in the state and examine as many of the mines in the different counties and mining districts as may be practicable. He shall have power and authority to visit and examine any mine or piece of mining ground for the purpose of ascertaining the condition of the same in regard to its safety and means of egress from the same, and for this purpose shall have access to all levels, stopes, tunnels, winzes, shafts and shaft power of any mine for the purpose of said inspection.

SECTION 9. Whenever the mining bureau or the state geologist shall receive a formal complaint in writing, signed by five or more persons, employés in a mine, setting forth that the mine in which they are employed is dangerous in any respect, the state geologist shall visit and examine such mine, and if, from such personal examination, he shall ascertain that the facilities for egress are insufficient, or that from want of timbering, scaling or slacking of the ground in such mine so visited, or from other causes, or that the timber, ladders or ladder ways, pentices or plats in any such mine are in a dangerous condition, it shall become his duty to notify the owners, lessor or lessee thereof; such notice to be in writing and to be served by copy on any person or persons in the same manner as provided by law for the service of legal notices or process; said notice shall state in what particulars timbers, ladders, ladder ways, pentices or plats are dangerous, and shall require the necessary changes to be made without delay; and in case of any criminal or civil procedure at law against the party or parties so notified, on account of loss of life or bodily injuries sustained by any employé subsequent to such notice and in consequence of a neglect to obey the state geologist's requirements, a certified copy of the notice served by the state geologist shall be *prima facie* evidence of the culpable negligence of the party or parties complained of.

WEST VIRGINIA.

CONSTITUTION.

ARTICLE 6.—*Exemption from execution, etc.*

SECTION 48. Any husband or parent, residing in this state, or the infant children of deceased parents, may hold a homestead of the value of one thousand dollars, and personal property to the value of two hundred dollars, exempt from forced sale subject to such regulations as shall be prescribed by law: *Provided*, That * * * no property shall be exempt from sale for taxes due thereon, or for the payment of purchase money due upon said property, or for debts contracted for the erection of improvements thereon.

CODE (EDITION OF 1887.)

CHAPTER 5.—*Protection of employés as voters.*

SECTION 7. * * *; and any corporation which shall by its officers, agents or otherwise, prevent or attempt to prevent any voter in its employ from attending any election, or from freely exercising his right of suffrage at any election at which he is entitled to vote, by any threat direct or indirect, express or implied, to discharge, or deprive such voter from his employment, or shall discharge or deprive such voter from its employment because of any vote he may cast, or refuse to cast, at any election at which he is entitled to vote, it shall be guilty of a misdemeanor, and shall upon conviction be fined not less than five thousand dollars nor more than twenty thousand dollars for every such offence, at the discretion of the jury.

CHAPTER 41.—*Exemption from execution, etc.—Personal property.*

SECTION 23. Any husband or parent residing in this state, or the widow, or the infant children of deceased parents, may set apart and hold personal property to the value of not exceeding two hundred dollars, to be exempt from execution or other process, except as hereinafter provided. And any mechanic, artisan or laborer residing in this state, whether he be a husband or parent, or not, may hold the working tools of his trade or occupation to the value of fifty dollars exempt from forced sale or execution: *Provided*, That in no case shall the exemption allowed any one person exceed two hundred dollars.

SECTION 27. After the death of a husband or parent residing in this state, his widow or minor children, or such of them as there may be, may select personal estate of the deceased, not exceeding two hundred dollars in value, and hold the same exempt from any debts or liabilities of the husband or parent, contracted or incurred by the deceased in his lifetime. * * *.

SECTION 28. No exemption claimed under the * * * preceding sections, or any of them, shall affect or impair any claim for the purchase money of the personal estate in respect to which such exemption is claimed, or any proceeding for the collection of taxes, or county or district levies.

CHAPTER 41.—*Exemption from execution, etc.—Homesteads.*

SECTION 30. Any husband or parent residing in this state, or the infant children of deceased or insane parents, may hold a homestead of the value of one thousand dollars, subject to the provisions of section 48 of article 6 of the constitution of this state * * *.

SECTION 32. The real estate so set apart as aforesaid, shall * * * be exempt from all debts and liabilities * * * except debts incurred for the purchase money thereof, or for the erection of permanent improvements thereon, and claims for taxes due thereon. * * *.

SECTION 34. In case of the death of a husband or parent owning such homestead, the benefit thereof shall descend to his or her minor children, and shall be held and enjoyed by them as such homestead, until all of the said infants attain the age of twenty-one years, unless they sooner die.

CHAPTER 66.—*Earnings of married women.*

SECTION 13. A married woman living separate and apart from her husband may, in her own name, carry on any trade or business; and * * * her own earnings, realized from such trade or business, or otherwise, shall be her sole and separate property, and shall not be subject to the control of her husband nor liable for his debts.

CHAPTER 74.—*Conditional sale of personal property.*

SECTION 3. * * * And if any sale be made of goods, and chattels reserving the title until the same is paid for, or otherwise, and possession be delivered to the buyer, such reservation shall be void as to creditors of, and purchasers without notice from, such buyer, unless a notice of such reservation be recorded in the office of the clerk of the county court of the county where the property is, or in case said goods and chattels consist of engines, cars or other rolling stock or equipment to be used in or about the operation of any railroad, unless such notice be recorded in the office of the secretary of state, who in such case shall record the same in a book to be kept for the purpose, and be entitled to a fee of five dollars for so doing.

CHAPTER 149.—*Sunday labor.*

SECTION 16. If a person, on a Sabbath day, be found laboring at any trade or calling, or employ his minor children, apprentices, or servants in labor or other business, except in household or other work of necessity or charity, he shall be fined not less than five dollars for each offense. And every day any such minor child, or servant, or apprentice is so employed, shall constitute a distinct offense * * *.

SECTION 17. No forfeiture shall be incurred under the preceding section * * * for running any railroad train or steamboat on the Sabbath day * * *; and no forfeiture for laboring on the Sabbath day shall be incurred under the said section,

by any person who conscientiously believes that the seventh day of the week ought to be observed as a Sabbath and actually refrains from all secular business and labor on that day, provided he does not compel an apprentice or servant not of his belief to do secular work or business on Sunday, and does not on that day disturb any other person in his observance of the same. And no contract shall be deemed void because it is made on the Sabbath day.

CHAPTER 163.—*Convict labor.*

SECTION 26 a. 1. In order to provide for hard labor by each convict according to his sentence, the directors of the penitentiary are hereby authorized and required * * * to let and hire the labor of the convicts upon such branches of business, and for the manufacturing of such articles, as in the judgment will best accomplish the ends and subserve the interests of the state, which letting and hiring shall be as follows: Such letting and hiring shall be advertised by the superintendent of the penitentiary * * *; the advertisement to specify the number of men to be let, the length of time, which shall not exceed five years * * *.

* * * * * * *

XV. The convicts shall labor for the contractors, on an average, ten hours a day during the year, Sunday and national holidays excepted.

* * * * * * *

XVII. It shall be the duty of the board to keep as many convicts employed on contracts, as the interests of the state will permit, and all convicts not employed on contracts may be employed by the superintendent under the direction of the board, in the performance of work for the state or temporarily hired, which hiring shall terminate whenever their labor is required on any contract.

XVIII. The superintendent, under directions of the board, may employ a portion of the convicts in the manufacture and repair of articles used by the state in carrying on the penitentiary, or articles used by any of the other state institutions.

XIX. A sufficient number of convicts may be hired by the superintendent for domestics, on terms to be agreed upon between him and the board of directors.

SECTION 26 b. 1. The board of public works is authorized to furnish to any railroad or internal improvement company or to any county to work on public roads, free of hire, as many able-bodied male convicts from the penitentiary as may now or hereafter be there as can be spared without interfering with contracts heretofore made, to be used by such companies in the construction of their works within this state * * *: [*Provided*, That all expenses of guarding, boarding, clothing and medical attendance shall be borne by the company receiving said convicts] * * *.

SECTION 26 c. The governor of this state * * * is hereby authorized and empowered, to detail so many of the convicts in the penitentiary of this state as he may deem necessary, not to exceed fifty of such convicts, to work on the property of the hospital for the insane at Weston, and he * * * [is] further authorized to detail so many of the guards at the penitentiary as he may deem necessary for the safety of such convicts. * * *

Coal-mine regulations and inspection.

(Page 975.)

SECTION 2, (as amended by chapter 9, acts of 1890). The governor, by and with the advice and consent of the senate, shall * * * every four years * * * appoint one inspector of mines for each of the (two) districts * * *. Every person so appointed must be a citizen of West Virginia, of temperate habits, of good repute as a man of personal integrity, and must possess a competent and practical knowledge of mining and properly ventilating and draining mines, and of the nature of noxious gases and impure air of mines, and of the best methods of preventing and removing the same; and he shall not while in office be interested as owner, operator, agent, stockholder, superintendent or mining engineer of any coal mine. An inspector of mines may be removed from office by the governor, for incompetency, neglect of duty, drunkenness, malfeasance in office, or for other good cause. Vacancies in office of inspector, shall be filled by appointment by the governor for the unexpired term.

* * * * * * *

SECTION 4, (as amended by chapter 9, acts of 1890). Each inspector shall examine the mines of his district at least twice every year, and oftener if called upon

by twenty miners engaged in any one mine, and he shall see that all the provisions of this act are observed and strictly carried out. He shall particularly examine into the condition of the mine as to ventilation, drainage and general safety, and shall make a record of all such examinations. He shall also for each year ending with the thirtieth day of June, make a written report to the governor, of his proceedings as such inspector, stating therein the number of mines in his districts, the thickness of the seams mined, the number of miners employed in each mine, the condition in which the mines were found, the extent to which this act is obeyed or violated, the number of accidents and deaths resulting from injuries received in or about the mines, with the cause of each of such accidents and deaths, and such other information in relation to mines and mining, as he may deem of public interest. He shall also suggest or recommend such legislation on the subject of mining as he may think necessary. Such report shall be filed with the governor on or before the thirtieth day of December, next succeeding the year for which it is made.

SECTION 5. The operator or agent of every coal mine shall, within six months after the passage of this act, make, or cause to be made, an accurate map or plan of such mine, on a scale to be stated thereon, not exceeding one hundred feet to the inch. Such map or plan shall show the openings or excavations, the shafts, slopes, entries, air-ways, headings, rooms, pillars, etc., the general inclination of the coal strata, and so much of the property lines and of the outcrop of the coal seam of the tract of land on which said mine is located, as may be within one thousand feet of any part of the workings of such mine. A true copy of such map or plan, shall, within the six months aforesaid be delivered by such operator, to the inspector of his district, to be preserved among the records of his office and turned over to his successor in office; and the original map or a true copy thereof, shall be kept by such operator, at the office of the mine, and open at all reasonable times for the examination and use of the inspector; and such operator shall twice within every twelve months, and not more than seven months apart while the mine is in operation, cause such mine to be surveyed and the map thereof extended so as to accurately show the progress of the workings, of the property lines and outcrop as above provided: and he shall immediately thereafter deliver, to the inspector of his district, a map or plan and statement of the progress of the workings and extensions aforesaid, so as to enable the inspector to trace the same on the map or plan furnished him as above required. Before any mine or part of a mine is abandoned, or the pillars drawn therein, it shall be accurately surveyed, and the maps thereof extended as aforesaid and within one month after any mine is abandoned, the person who was the last operator thereof, shall file with the clerk of the county court of the county, in which the mine is located, a correct map, showing all the excavations of such mine, to be preserved as a part of the records of the county. If any operator fail to comply with any provision of this section, the inspector is hereby authorized to have, the survey and maps made or extended, as may be necessary in such case, at the expense of such operator, and the reasonable fees and expenses may be recovered in any court of competent jurisdiction, by the person performing the work.

SECTION 6. After six months, from and after the passage of this act, it shall be unlawful for the operator, or agent, of any coal mine, to employ any persons at work in said mine, or permit any persons to be in said mine for the purpose of working therein, unless they are in communication with at least two openings or outlets, separated by natural strata, of not less than one hundred feet in breadth, if the mine be worked by shaft, and of not less than fifty feet in breadth, if worked by slope or drift. To each of said outlets there shall be provided, from the interior of the mine, a safe and available roadway, which shall at all times while the mine is in operation be kept free from all obstructions that might prevent travel thereon in case of an emergency, and if either of said outlets be by shaft, it shall be fitted with safe and available appliances, such as ladders, stairs, or hoisting machinery, which shall at all times, when the mine is in operation, be kept in order and ready for immediate use, whereby persons employed in the mine may readily escape in case of an accident. This section shall not apply to any mine while work is being prosecuted with reasonable dilligence in making communication between said outlets, so long as not more than twenty persons are employed at any one time in said mine; neither shall it apply to any mine, or part of a mine, in which the second outlet has been rendered unavailable by reason of the final robbing of pillars preparatory to abandonment, so long as not more than twenty persons are employed therein at any one time.

SECTION 8. The operator or agent of every coal mine worked by shaft shall forthwith provide, and hereafter maintain, a metal tube from the top to the bottom

of such shaft, suitably adapted to the free passage of sound, through which conversation may be held between persons at the top and at the bottom of the shaft, also the ordinary means of signaling, and an approved safety catch and sufficient cover overhead on every carriage used for lowering or hoisting persons, and at the top of the shaft an approved safety gate, and an adequate brake on the drum of every machine used to lower or hoist persons in such shaft; and the said operator or agent shall have the machinery used for lowering or hoisting persons into or out of the mine, kept in safe condition and inspected once in every twenty-four hours by some competent person.

SECTION 9. No operator or agent of any coal mine, worked by shaft or slope, shall place in charge of any engine, used for lowering into or hoisting out of said mine, persons employed therein, any but competent and sober engineers; and no engineer in charge of such machinery shall allow any person except such as may be deputed for that purpose, by the operator or agent, to interfere with any part of the machinery; and no person shall interfere with or intimidate the engineer in the discharge of his duties; and in no case shall more than ten persons ride on any cage or car at one time, and no person shall ride on a loaded cage or car in any shaft or slope. All slopes or engine planes, used as traveling ways by persons in any mine, shall be made of sufficient width to permit persons to pass moving cars with safety, or refuge holes of ample dimensions, and not more than sixty feet apart, shall be made on one side of said slope or engine plane. Such refuge holes shall be kept free from obstructions, and the roof and sides thereof shall be made secure.

SECTION 10. The operator or agent of every coal mine, whether worked by shaft, slope or drift, shall provide and hereafter maintain for every such mine, ample means of ventilation, affording not less than one hundred cubic feet of air per minute for each and every person employed in such mine, and as much more as the circumstances may require, which shall be circulated around the main headings and cross headings and working places, to an extent that will dilute, render harmless and carry off the noxious and dangerous gases generated therein; and as the working places shall advance, break-throughs for air shall be made in the pillars, or brattices shall be used, so as to keep such working places well and properly ventilated. All mines generating fire-damp shall be kept free of standing gas in the worked out or abandoned parts of the same as far as practicable, and the entrances thereto shall be properly closed and cautionary notice posted to warn persons of danger, and the doors used therein for directing ventilation shall be so hung as to close themselves, and every working place and all other places where gas is known to exist or is liable to exist, shall be carefully examined by some competent person appointed for that purpose, to be known as "fire boss," immediately before each shift, with a safety lamp, and in making such examinations it shall be the duty of the fire boss at each examination, to leave at the face of every place so examined, evidence of his presence, and no workman shall enter or be permitted to enter, any mine or part of a mine, generating fire-damp until it has been examined by the fire boss as aforesaid, and reported by him to be safe. In all mines generating fire-damp accumulations of fine, dry, coal dust shall as far as practicable be prevented, and such dust shall, whenever necessary, be kept properly watered down. The safety lamps used for examining any mine, or which may be used for working therein, shall be furnished by, and be the property of the operator of the mine, and shall be in charge of an agent thereof; and at least one safety lamp shall be kept at every coal mine whether such mine generates fire-damp or not.

SECTION 11. In order to better secure the proper ventilation of every coal mine and promote the health and safety of persons employed therein, the operator or agent shall employ a competent and practical inside overseer, to be called "mining boss," who shall be a citizen and an experienced coal miner, or any person having two years' experience in a coal mine, and shall keep a careful watch over the ventilating apparatus and the air ways, traveling ways, pumps and drainage; and shall see that as the miners advance their excavations, proper break-throughs are made as provided in section ten of this act, and that all loose coal, slate and rock overhead in the working places, and along the haul-ways, be removed or carefully secured so as to prevent danger to persons employed in such mines; and that sufficient props, caps and timbers are furnished of suitable size and cut square at both ends, and as near as practicable to the proper lengths for the places where they are to be used; and such props, caps and timbers shall be delivered and placed in the working places of the miners, and every workman in want of props or timbers and cap-pieces, shall notify the mining boss or his assistant of the fact at least one day in advance, giving the length and number of props or timbers and cap-pieces required; but in case of an emergency, the

timbers may be ordered immediately upon the discovery of any danger; and the place and manner of leaving the orders for timbers shall be designated in the rules of the mine; and shall have all water drained or hauled out of the working places before the miners enter, and the working places kept dry, as far as practicable, while the miners are at work. On all haul-ways, space not less than ten feet long and two feet six inches wide between the wagon and the rib, shall be kept open at distances not exceeding one hundred feet apart, in which shelter from passing wagons may be secured. It shall further be the duty of the mining-boss to have bore-holes kept not less than twelve feet in advance of the face, and, when necessary, on the sides of the working places that are being driven towards and in dangerous proximity to an abandoned mine or part of a mine suspected of containing inflammable gases or which is filled with water. The mining boss or his assistant shall visit and examine every working place in the mine at least once in every three days, and oftener when necessary, while the miners of such places are at work, and shall direct that each and every working place shall be secured by props or timbers wherever necessary, so that safety in all respects be assured, and no person shall be directed to work in an unsafe place, unless it be for the purpose of making it safe. The mining boss shall notify the operator or agent of the mine, of his inability to comply with any requirements of this section; it shall then become the duty of such operator or agent at once to attend to the matter complained of by the mining boss, to comply with the provisions hereof.

SECTION 12. The operator or agent of every coal mine shall furnish the inspector proper facilities for entering such mines, and making examinations or obtaining information; and if any inspector shall discover that any mine does not in its appliances, for the safety of the persons employed therein, conform to the provisions of this act, or that by reason of any defect or practice in or at such mine, the lives or health of persons employed therein, are endangered, he shall immediately, in writing, notify such operator or agent thereof, stating in such notice the particulars in which he considers such mine to be defective or dangerous, and if he deem it necessary for the protection of the lives or health of the persons employed in such mine, he shall, after giving notice to the said operator or agent, of his intention so to do, apply without bond to the circuit court of the county in which said mine is located, or to the judge thereof in vacation, for an injunction to restrain the operating of said mine until said danger be removed; and such court or judge, when so applied to, shall at once proceed to hear the case and determine the same, and if the cause appear to be sufficient, and such danger appear to exist, after hearing the parties and their evidence, he shall issue an injunction restraining the operating of said mine until the cause of such danger be removed, and the cost of the proceedings, including the charges of the attorney prosecuting the same, shall be borne by the operator of the mine, but no fee exceeding twenty-five dollars shall be taxed in any one case for the attorney prosecuting such case; but if said court or judge shall find the cause not sufficient, then the case shall be dismissed and the costs shall be paid by the county in which the mine is located.

SECTION 13. No boy under twelve years of age, nor female person of any age, shall be permitted to work in any coal mine, and in all cases of doubt, the parents or guardians of such boys shall furnish affidavits of their ages.

SECTION 14, (as amended by chapter 9, acts of 1890). No miner, workman or other person shall knowingly injure any shaft lamp, instrument, air course or brattice, or obstruct or throw open air-ways, or carry matches or open lights into places worked by safety lamps, or disturb any part of the machinery, open a door used for directing the ventilation and not close it again, or enter any part of a mine against caution, or disobey any order given in carrying out any of the provisions of this act, or do any other act, whereby the life or health of any person employed in the mine, or the security of the mine endangered. Nor shall any person or persons or combination of persons by force, threats, menace or intimidation of any kind, prevent or attempt to prevent from working in or about any mine, any person or persons who have the lawful right to work in or about the same, and who desire so to work; but this provision shall not be so construed as to prevent any two or more persons from associating themselves together under the name of Knights of Labor, or any other name they may desire, for any lawful purpose, or from using moral suasion or lawful argument, to induce anyone not to work on and about any mine.

SECTION 15. Whenever by reason of any explosion or other accidents in any coal mine, or the machinery connected therewith, loss of life or serious personal injury shall occur, it shall be the duty of the superintendent of the colliery, and in his absence the mining boss in charge of the mine, to give notice thereof

forthwith, by mail or otherwise to the inspector of the district, stating the particulars of such accident. And if any one is killed thereby, to the coroner of the county also, or in his absence or inability to act, to any justice of the peace; and the said inspector shall, if he deem it necessary from the facts reported, immediately go to the scene of such accident and make such suggestions and render such assistance as he may deem necessary for the future safety of the men; and investigate the cause of such explosion or accident, and make a record thereof, which he shall preserve with the other records of his office; and to enable him to make such investigation, he shall have the power to compel the attendance of witnesses, and to administer oaths and affirmations; and the costs of such investigation shall be paid by the county in which such accident occurred, in the same manner as the costs of coroner's inquests are now paid. If the coroner or justice shall determine to hold an inquest upon the body of any person killed, as aforesaid, he shall impanel a jury, no one of whom shall be directly or indirectly interested, and the inspector of mines, if present at such inquests, shall have the right to appear and testify and to offer any testimony that may be relevant, and to question and cross-question any witness, and the coroner or justice shall deliver to the inspector a copy of the testimony and verdict of the jury.

SECTION 16. The operator or agent of every coal mine shall annually, during the month of July, mail or deliver to the inspector of his district, a report for the preceding twelve months, ending with the thirtieth day of June. Such report shall state the names of the operator and officers of the mine, the quantity of coal mined, and such other information, not of a private nature, as may from time to time be required by the inspector. Blank forms for such reports shall be furnished by the inspector.

SECTION 17, (as amended by chapter 9, acts of 1890). The operator or agent of any coal mine who shall wilfully neglect or refuse to perform the duties required of him by any section of this act, or who shall violate any of the provisions hereof, and any person who shall neglect or refuse to perform the duties required of him by sections nine, ten, eleven, thirteen or fourteen, or who shall violate any of the provisions thereof, or knowingly do any act whereby the health or life of any person employed in a mine, or the security of a mine is endangered, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars: in default of payment of such fine and costs for the space of ten days, the defendant may in the discretion of the court, be imprisoned in the county jail for a period not exceeding three months.

SECTION 18. The provisions of this act shall apply only to coal mines in which ten or more persons are employed in a period of twenty-four hours.

Employment of children.

(Page 982.)

SECTION 1. That no minor, under twelve years of age, who can not read and write, shall be employed in any mine or in any factory, workshop, manufactory or establishment where goods, or wares, are manufactured; and in all cases of minors applying for work, it shall be the duty of the manager, superintendent, foreman or operator to see that the provisions of this section are complied with.

SECTION 2. Any manager, superintendent, foreman, or operator of such mine, factory, workshop, manufactory, or establishment, and parents or guardians, allowing a child, under twelve years of age, to work in violation of section first of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than twenty dollars for each and every such offence.

Payment of wages.

(Page 983.)

SECTION 1. That all persons, firms, corporations, or associations, in this state, engaged in mining coal, ore or other minerals, or mining and manufacturing them, or either of them, or manufacturing iron or steel, or both, or any other kind of manufacturing, shall pay their employés as provided in this act.

SECTION 2. All persons, firms, companies, corporations, or associations, engaged in the business aforesaid, shall settle with their employés at least once in every two weeks, unless otherwise provided by special agreement, and pay

them the amount due them for their work or services in lawful money of the United States, or by the cash order as described and required in the next succeeding section of this act: *Provided*, That nothing herein contained shall affect the right of an employé to assign the whole or any part of his claim against his employer.

SECTION 3. It shall not be lawful for any person, firm, company, corporation or association, engaged in the business aforesaid, their clerk, agent, officer or servant, in this state, to issue for the payment of labor, any order or other paper whatsoever, unless the same purports to be redeemable for its face value, in lawful money of the United States, bearing interest at the legal rate, made payable to employé or bearer and redeemable within a period of thirty days by the person, firm, company, corporation or association, giving, making or issuing the same. And any person, firm, company, corporation or association, engaged in business aforesaid, their clerk, agent, officer or servant, who shall issue for payment of labor any paper or order other than the one herein specified, in violation hereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor exceeding one hundred dollars, in the discretion of the court.

SECTION 4. * * * It shall be unlawful for any person, firm, company, corporation or association engaged in mining or manufacturing, either or both as aforesaid, and who shall likewise be interested directly or indirectly in merchandising as owner or otherwise in any money, per cent. profit or commission arising from the sale of any such merchandise, their clerks, servants, officers or agents, to knowingly and wilfully sell or cause to be sold to any employé, any goods, merchandise or supplies whatsoever, for a greater per cent. of profit than merchandise and supplies of like character, kind, quality and quantity are sold to other customers buying for cash, and not employed by them; and shall any person or member of any firm, company, corporation or association, his or their clerk, agent or servant, violate this section then and in that case such person, firm, company, corporation or association shall collect for such merchandise and supplies only the price for which like merchandise and supplies are sold by them to such other customers as aforesaid buying for cash; and morever shall be guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding one hundred dollars nor less than twenty-five dollars.

SECTION 5. That if any firm, company, corporation, or association shall refuse for the space of twenty days to settle and pay any of their said employés at the intervals of time as provided in section two of this act, or shall neglect or refuse to redeem any cash orders herein provided for, within the time specified, if presented, and suit should be brought for the amount overdue and unpaid, judgment for the amount of said claim proven to be due and unpaid, with legal interest thereon until paid, shall be rendered in favor of the plaintiff in such action: *Provided further*, That the cash order herein provided for, given for payment of labor, if the laborer continues to hold the same, in case of the insolvency of the company, or person, or firm, or corporation giving same, such laborer shall not lose his lien and preference under existing laws.

ACTS OF 1889.

CHAPTER 15.—*Bureau of labor.*

SECTION 1. There * * * is hereby created a state bureau of labor, to be under the control and management of a commissioner to be known as the state commissioner of labor, who is to be appointed as hereinafter provided.

SECTION 2. The governor shall, with the advice and consent of the senate, appoint a competent person, who is identified with the labor interests of the state, to be state commissioner of labor. * * *

SECTION 4. It shall be the duty of the commissioner of labor to collect, compile and present to the governor, in annual report, statistical details relating to all departments of labor and the industrial interests of the state, especially in relation to the financial, social, educational and sanitary condition of the laboring classes, and all statistical information that may tend to increase the prosperity of the productive industries of the state. He shall, once at least in each year, visit and inspect the principal factories and workshops of the state; and shall, upon complaint and request of any three or more reputable citizens, visit and inspect any place where labor is employed and make true report of the result of his inspection.

SECTION 5. The commissioner of labor shall have power, in the discharge of his duties, to enter and inspect any public institution of the state and any factory, workshop or other place where labor is employed. He may furnish a written or printed list of interrogatories, asking information essential to a proper discharge of his duties, to any person, company or corporation employing labor, and require full and complete answers thereto. And if any person, or the officers of any company or corporation shall neglect or refuse to answer, within a reasonable time, any proper question propounded to him by the commissioner of labor: or if any person or the officers of any company or corporation to whom a list of interrogatories has been furnished, shall neglect or refuse to fully and truthfully answer and return the same, such person or such officer of such company or corporation shall be deemed guilty of a misdemeanor. The commissioner of labor shall report to the prosecuting attorney of the proper county all such violations of this act; whereupon said prosecuting attorney shall proceed against the persons guilty thereof, as in other cases of misdemeanor; and any person or any officer or any company or corporation, convicted in such proceedings shall be fined not less than ten dollars nor more than fifty dollars, or shall be confined in the county jail not less than ten nor more than ninety days, or shall be both fined and imprisoned within the above limits.

SECTION 6. All state, county, district and city officers shall furnish the commissioner of labor, upon his request, all statistical information relating to labor, which may be in their possession as such officers. The commissioner of labor shall report to the governor, on or before the first day of December in each year, all the statistics he has collected and compiled, with such suggestions as he may deem advisable as to legislation tending to promote and increase the prosperity of the industrial establishments of the state, and to protect the lives and health and to promote the prosperity of the persons employed therein.

WISCONSIN.

CONSTITUTION.

ARTICLE I.—*Exemption from execution, etc.*

SECTION 17. The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure, or sale for the payment of any debt, or liability hereafter contracted.

REVISED STATUTES OF 1878 AND SUPPLEMENT OF 1883.

CHAPTER 46.—*Bureau of labor census and industrial statistics.*

SECTION 1021*b*, (added by chapter 319, acts of 1883 as amended by chapter 247, acts of 1885). 1. * * * . There is hereby created a bureau of labor census and industrial statistics, with headquarters in the capitol building, for which stationery, postage, expressage, printing and facilities for transacting business shall be furnished the same as for other executive departments.

2. The governor, with the advice and consent of the senate, shall appoint quadrennially on the first Monday of February, a competent person to be commissioner of the said bureau.

3. The said commissioner shall have power to appoint a deputy at a salary not to exceed one hundred and twenty-five dollars per month, who, when acting for or instead of said commissioner, shall have and may exercise equal power and authority. He may also appoint a clerk at a salary not exceeding one hundred dollars per month, and a factory inspector who shall reside in Milwaukee, and be and work under the direction and control of the commissioner, at a salary of twelve hundred dollars per year and actual traveling expenses, stated under oath, while engaged in bureau work outside of Milwaukee.

4. The duties of the said commissioner shall be, to collect, collate and publish statistics and facts relative to the manufactures, industrial classes and material resources of the state; and especially to examine into the relations between labor and capital, the means of escape from fire and protection of life and health in factories and workshops, the employment of illegal child labor, the exaction of unlawful hours of labor from women and children, the educational, sanitary, moral and financial condition of laborers and artisans, the cost of food, fuel, clothing and building material, the causes of strikes and lockouts, as well as

kindred subjects and matters pertaining to the welfare of industrial interests and classes.

5. The commissioner, his deputy, or the factory inspector shall have power to enter any factory, or workshop in which labor is employed, for the purpose of gathering facts and statistics, or of examining the means of escape from fire, and the provisions made for the health and safety of operatives in such factory or workshop; and in case the officer of the bureau shall discover any violations of or neglect to comply with the laws in respect to child labor, hours of labor for women and children, fire escapes, and similar enactments now or hereafter to be made, he shall notify the owner or occupant of such factory or workshop, in writing, of the offense or neglect, and if such offense or neglect is not corrected or remedied within thirty days after the service of the notice aforesaid, he shall lodge formal complaint with the district attorney of the county in which the offense is committed or the neglect occurs, whereupon that officer shall proceed at once against the offender according to law.

6. The factory inspector or any officer of the bureau, may examine hotels and lodging or boarding houses, for the purpose of discovering whether they are properly equipped with lawful fire escapes; and he may post in any hotel, lodging or boarding house so examined, the laws upon this matter, together with his official statement as to whether the said laws are fully complied with by said hotel, lodging or boarding house; and any hotel, lodging or boarding house keeper, or other person, who shall mutilate, destroy or remove from any building or buildings, the said laws or statement so posted, shall be fined fifty dollars for each and every offense, upon complaint of any officer of the bureau or any citizen. Whenever any hotel, lodging or boarding house, that has been posted, as not complying with the terms of the laws in respect of fire escapes, shall be properly provided and equipped with lawful fire escapes, and the bureau shall be notified thereof, the commissioners shall at once order a new statement setting forth that fact, to be posted in said hotel, lodging or boarding-house; and the bureau shall keep a record of all buildings so examined and posted.

7. The factory inspector or any officer of the bureau, may post in any factory or workshop examined by him, the laws now or hereafter to be made in respect of child labor, hours of labor, fire escapes, or other matters pertaining to the health and safety of artisans; and if the owner, manager or proprietor of such factory or workshop, or his agent, or any person whomsoever, shall remove, destroy or mutilate the laws so posted, he shall, on complaint of any officer of the bureau, or any citizen, be fined fifty dollars for each and every offense.

8. The said commissioner shall have power to prescribe blank forms, and transmit them to employers, which shall be filled out clearly and completely, under oath, by the persons to whom they are sent, with the facts, statistics and statements asked for, and returned to him within such reasonable time as he may fix. In case any owner or occupant, or his agent, shall refuse to admit any officer of the said bureau to his workshop or factory, he shall forfeit the sum of ten dollars for each and every offense, and if he shall, through his agent or otherwise, neglect, fail or refuse to fill out the said blank forms, and verify and return them as required, he shall forfeit the sum of ten dollars for each and every day the said blanks may be so delayed beyond the time fixed by the commissioner for their return. The forfeits named and provided in this act shall be sued for in the name of the state, by the district attorney of the proper county, upon complaint of any officer of said bureau, or any citizen, and shall be paid into the school fund.

9. There shall be provided a seal of office for the use of the bureau, and the commissioner or his deputy, for the purpose of making any investigation contemplated by this act, shall have power to administer oaths, take testimony and subpœna witnesses, which witnesses shall receive the same fees as are allowed to persons testifying in circuit courts, to be paid out of the contingent fund of the bureau: *Provided*, however, That no person subpœnaed by the said commissioner or his deputy, shall be compelled to go outside of the city or town in which he resides to testify in behalf of such investigation.

10. The commissioners shall report biennially to the governor, accompanying his report with such suggestions and recommendations as may be deemed wise and proper. * * *

CHAPTER 48.—*Exemption from taxation.*

SECTION 1038, (as amended by chapter 363, acts of 1889). The property in this section described is exempt from taxation, to wit:

* * * * * * *

11. Wearing apparel, family portraits, libraries, kitchen furniture, and other household furniture, not exceeding in value the sum of two hundred dollars, and also growing crops.

12. Provisions and fuel provided by the head of a family to sustain its members for six months; but no person paying board shall be deemed a member of a family.

CHAPTER 83.—*Employment, hours of labor, etc., of women and children.*

SECTION 1728, (as amended by chapter 135, acts of 1883). In all manufactories, workshops and other places used for mechanical or manufacturing purposes, the time of labor of children under the age of eighteen years, and of women, employed therein, shall not exceed eight hours in one day; and any employer, stockholder, director, officer, overseer, clerk or foreman who shall compel any woman or any such child to labor exceeding eight hours in any one day, or who shall permit any child under fourteen years of age to labor more than ten hours in any one day in any such place, if he shall have control over such child sufficient to prevent it, or who shall employ at manual labor any child under twelve years of age in any factory or workshop, where more than three persons are employed, or who shall employ any child of twelve and under fourteen years of age in any such factory or workshop, for more than seven months in any one year, shall be punished by fine not less than five nor more than fifty dollars for each such offense.

CHAPTER 83.—*Hours of labor.*

SECTION 1729. In all engagements to labor in any manufacturing or mechanical business, where there is no express contract to the contrary, a day's work shall consist of eight hours, and all engagements or contracts for labor in such cases, shall be so construed; but this shall not apply to any contract for labor by the week, month or year.

CHAPTER 85.—*Corporations—Liability of stockholders for debts due employés.*

SECTION 1769. The stockholders of every corporation, other than railroad corporations, shall be personally liable to an amount equal to the stock owned by them respectively in such corporation, for all debts which may be due and owing to its clerks, servants and laborers for services performed for such corporation, but not exceeding six months' service in any one case. Whenever any railway corporation in this state shall be placed by any court of this state in the hands of a receiver, whether upon foreclosure or creditors' bill, it shall be the duty of such receiver to report immediately to the court so appointing him, the amount due by said railroad company, or by the person or persons who were operating said road at the date of such receiver's appointment, to employés and laborers upon said road, and it shall be the duty of said court to order the said receiver to pay out of the first receipts and earnings of said railway, after paying current operating expenses under his administration, the wages of all employés and laborers, which had accrued within six months prior to the appointment of such receiver.

CHAPTER 102.—*Homesteads descend subject to liens of laborers and mechanics.*

SECTION 2271, (as amended by chapter 301, acts of 1883). When the owner of any homestead shall die, not having lawfully devised the same, such homestead shall descend, free of all judgments and claims against such deceased owner or his estate, except mortgages lawfully executed thereon and laborers' and mechanics' liens, in the manner following: * * *

CHAPTER 108. *Earnings of married women.*

SECTION 2343. The individual earnings of every married woman, except those accruing from labor performed for her husband, or in his employ, or payable by him, shall be her separate property, and shall not be subject to her husband's control, or liable for his debts.

CHAPTER 130.—*Exemption from execution, etc.—Personal property.*

SECTION 2982, (as amended by chapter 63, acts of 1879; chapter 56, acts of 1881; chapter 117, acts of 1882; chapter 141, acts of 1883; chapter 336, acts of 1885, and chapter 536, acts of 1887). No property hereinafter mentioned shall be liable to seizure, or sale, on execution, or on any provisional or final process issued from any court, or any proceedings in aid thereof, except as otherwise specially provided in these statutes:

1. The family bible.
2. Family pictures and schoolbooks.
3. The library of the debtor and every part thereof; * * *.
4. A seat, or pew, in any house or place of public worship.
5. All wearing apparel of the debtor and his family; all beds, bedsteads and bedding kept and used for the debtor and his family; all stoves and appendages put up or kept for the use of the debtor and his family; all cooking utensils, and all other household furniture not herein enumerated, not exceeding two hundred dollars in value; and one gun, rifle or other firearm, not exceeding fifty dollars in value.
6. Two cows, ten swine, one yoke of oxen, and one horse or mule, or, in lieu of one yoke of oxen and a horse or mule, two horses or two mules, ten sheep, and the wool from the same, either in the raw material or manufactured into yarn or cloth; the necessary food for all the stock, mentioned in this section, for one year's support, either provided or growing, or both, as the debtor may choose; also one wagon, cart or dray, one sleigh, one plow, one drag and other farming utensils, including tackle for teams, not exceeding two hundred dollars in value.
7. The provisions for the debtor and his family, necessary for one year's support, either provided or growing, or both, and fuel necessary for one year.
8. The tools, implements and stock in trade, of any mechanic, miner, merchant, trader or other person, used or kept for the purpose of carrying on his trade or business, not exceeding two hundred dollars in value.
9. All sewing machines owned by individuals, and kept for the use of themselves or families.

* * * * * * *

11. Printing materials, and press or presses used in the business of any printer or publisher, to an amount not exceeding fifteen hundred dollars in value: *Provided*, that no sum exceeding the sum of four hundred dollars shall be exempt from execution for payment of wages of laborers or servants for services rendered the defendant.

* * * * * * *

14. The interest owned by any inventor in any invention secured to him by letters patent of the United States.
15. The earnings of all married person or persons having a family dependent upon them for support, for three months next preceding the issue of any attachment, execution or garnishment, or proceedings supplementary to execution, to the amount of sixty dollars only for each month in which such earnings are made or earned, shall not be liable to seizure or sale on execution, or on any provisional or final process issued from any court or any proceedings in aid thereof, and in case any creditor proceeds by garnishment against any person or party who shall be indebted to, or have any property whatever, real or personal, in his possession or his control, belonging to such creditor's debtor, and such money or property, at the time of serving such process, was by law exempt from seizure or sale upon execution, said garnishee shall be entitled to judgment for his costs of suit: *Provided*, That no property exempted by the provisions of this section shall be exempt from attachment or upon execution issued upon a judgment in an action, brought by any person for the recovery of the whole or any part of the purchase money of the same property.

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17. All moneys arising from insurance of any property exempted from sale on execution, including the homestead, when such property has been destroyed by fire.

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19. All moneys arising on any policy of insurance on the life of a minor, payable to his father or mother, or both, shall be exempt against the creditors of such father or mother, but not against the creditors of such minor.

20. Cemetery lots owned by individuals, and all monuments therein, the coffins and other articles for the burial of any dead person, and the tombstone or monument for his grave by whomsoever purchased.

The exemptions provided for in subdivisions three, six, seven, eight, * * * eleven, * * * fourteen, seventeen and nineteen of this section shall extend only to debtors having an actual residence in this state, and when such debtors and their families, or any of them, shall be removing from one place of residence to another. And no property exempted by the provisions of this section shall be exempt from execution or attachment issued upon a judgment in an action brought by any person for the recovery of the whole or any part of the purchase money of the same property. All articles exempted by the provisions of this section may be selected by the debtor, his agent, clerk or legal representative, when necessary to distinguish the same: *Provided*, That the property mentioned in subdivisions 5, 6, 11, * * *, 14, 15, 17, and 19, shall not be exempt from attachment or execution issued upon a judgment in an action brought to recover a claim for any female, manual or domestic labor rendered or performed by any person in or about the dwelling of another.

CHAPTER 130.—*Exemption from execution, etc.—Homesteads.*

SECTION 2983. A homestead, to be selected by the owner thereof, consisting, when not included in any city or village, of any quantity of land not exceeding forty acres, used for agricultural purposes, and when included in any city or village, of any quantity of land not exceeding one-fourth of an acre and the dwelling house thereon and its appurtenances, owned and occupied by any resident of this state, shall be exempt from seizure or sale on execution, from the lien of every judgment, and from liability in any form for the debts of such owner, except laborers', mechanics', and purchase-money liens, and mortgages lawfully executed, and taxes lawfully assessed, and except as otherwise specially provided in these statutes; and such exemption shall not be impaired by temporary removal with the intention to reoccupy the same as a homestead, nor by a sale thereof, but shall extend to the proceeds derived from such sale while held with the intention to procure another homestead therewith, for a period not exceeding two years. Such exemption shall extend to land, not exceeding, altogether, the amount aforesaid, owned by a husband and wife jointly, or in common, and to the interest therein of a tenant in common, or two or more tenants in common, having a homestead thereon, with the consent expressed or implied, of the cotenants and to any estate less than a fee held by any person by lease or otherwise.

CHAPTER 161.—*Suits for wages.*

SECTION 3783a, (added by chapter 223, acts of 1883). Whenever the plaintiff in an action commenced in justice court for the recovery of a claim for work and labor performed, shall have been required to give security for costs, and the plaintiff shall make oath before the justice that he has a valid claim against the defendant for work and labor performed, and that he is unable to procure security for such costs, the action shall not be dismissed for want of such security.

CHAPTER 185.—*Fire-escapes on factories, etc.*

SECTION 4575a, (as amended by chapter 50, acts of 1885). Any person, persons, or body corporate, owning, occupying or controlling any factory, workshop or structure three or more stories high, in which several persons are employed at any kind of labor, on or above the third floor or story, shall provide and keep connected with the same, one or more good and substantial metallic or fire-proof ladders, stairs or stairways, ready for use at all times, reaching from the cornice to the ground, on the outside of such building, and placed in such position as to be easy of access to the occupants of such building in case of fire, and sufficient to furnish reasonable means of escape to the persons employed therein, from each and every floor or story. And any such person, persons or corporate body who shall, for three months after the passage and publication of this act fail to provide and keep such means of escape from fire, shall be subjected to a fine not exceeding one hundred dollars, or to imprisonment in the county jail, not exceeding three months, at the discretion of the court.

CHAPTER 186.—*Sunday labor.*

SECTION 4595. Any person who shall keep open his shop, warehouse or workhouse, or shall do any manner of labor, business or work, except only works of necessity and charity, * * * on the first day of the week, shall be punished by fine not exceeding ten dollars; and such day shall be understood to include the time between the midnight preceding and the midnight following the said day, * * *.

SECTION 4596. Any person who conscientiously believes that the seventh, or any other day of the week, ought to be observed as the Sabbath, and who actually refrains from secular business and labor on that day, may perform secular labor and business on the first day of the week, unless he shall wilfully disturb thereby some other person, or some religious assembly on that day.

CHAPTER 201.—*Convict labor.*

SECTION 4938. The warden is authorized and empowered, by and with the advice and approval of the board of directors of said prison, to lease, from time to time, the labor of such portion of the prisoners confined therein, together with such shop room, machinery and power, as may be necessary for their proper employment to such persons, for such purposes, upon such terms and conditions, and for such length of time, not exceeding five years at any one time, as he shall deem most conducive to the interests of the state and the welfare of the prisoners.

SECTION 4939. In every contract made pursuant to the authority herein conferred, there shall be reserved to the directors of said prison, and to the warden and each and every of his subordinates, full power and authority to prevent the demanding or imposition of unusual or severe labor, or labor whereby the health or safety of the convicts may be impaired or jeopardized; * * *.

SECTION 4943. Before entering into any contract for the leasing of convict labor, the warden shall, by public advertisement, invite sealed proposals for the hiring of such labor, shop room, machinery and power. Such advertisement shall specify the time and place when and where such proposals will be opened and considered, and there shall be reserved the right to reject any or all bids that may be made.

ACTS OF 1885.

CHAPTER 48.—*Wages preferred—In payments by receivers.*

SECTION 1. Whenever in the course of any action or proceeding, a receiver shall be appointed by any of the courts of this state, to manage or conduct the mercantile or manufacturing business of any person, firm or corporation, or to settle, adjust, or close up any such business, it shall be the duty of such receiver to report immediately to the court so appointing him, the amount due by such person, firm, or corporation, to employés and laborers in such business; and it shall be the duty of said court to order the said receiver to pay out of the first receipts of said business, after the payment of costs, debts due the United States or the state of Wisconsin, all taxes and assessments levied and unpaid, and the current expenses of carrying on or closing said business under his administration, the wages of all such employés and laborers, which had accrued within three months immediately prior to the appointment of such receiver.

CHAPTER 48.—*Wages preferred—In assignments.*

SECTION 2. In every voluntary assignment hereafter made for the benefit of creditors, the claims of all servants, clerks or laborers for personal service or wages owing from the assignor for services or labor performed for the three months preceding such assignment, shall be preferred over the claims of all other creditors, and shall be paid first by the assignee, after the payment of costs, debts due the United States or the state of Wisconsin, all taxes and assignments levied and unpaid, expenses of the assignment, and executing the trust.

CHAPTER 85.—*Railroad companies—Liability for wages due from predecessors.*

SECTION 1. Whenever any railway corporation in this state shall become the successor of a preëxisting railway corporation, it shall become charged and liable for the amount then due the employés and laborers upon said road for a period not exceeding six months prior to becoming such successor.

CHAPTER 174.—*Protection of employés as voters.*

SECTION 1. Any person who prevents, hinders, controls or intimidates another from exercising, or in exercising the right of suffrage by means of threats of depriving such person of employment, or occupation, or by threats of refusing to renew contracts for labor, at any election in this state, shall be punished by imprisonment in the county jail, not more than one year, or by a fine not exceeding five hundred dollars.

CHAPTER 190.—*Factories—Doors to swing outward.*

SECTION 1. All * * *, factories, or other manufacturing establishments, constructed at any time after the passage of this act, shall be so constructed that the doors shall swing outward, or both in and out, as the builders thereof may elect.

ACTS OF 1887.

CHAPTER 46.—*Fire escapes, etc., on factories.*

SECTION 1. Any architect who shall draw plans for or superintend the erection of any * * *, factory * * * without providing in said plans the fire escapes and outward swinging doors now required by law, shall be guilty of a misdemeanor, and on conviction thereof shall be fined twenty-five dollars for the first offense and one hundred dollars for each subsequent offense.

SECTION 2. Any person or persons, body corporate, official or officials, who shall erect or cause to be erected, any building named in this act without providing the fire escapes and outward swinging doors, or who shall neglect to provide the same as required by law, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined one hundred dollars.

CHAPTER 126.—*Co-operative associations.*

SECTION 1. Any number of persons not less than five, may become a body corporate for the purpose of engaging in and carrying on any trade or business upon the mutual, reciprocal or co-operative plan, under such rules and regulations as they may adopt conformably to the provisions of this chapter.

SECTION 2. Such associations, having duly filed articles of incorporation according to law, may sue and be sued, hold property and execute deeds and contracts, and have all the rights and privileges of other corporations or citizens.

SECTION 3. No member of such association shall hold more than one office at one time.

SECTION 5. The shares shall not be less than one dollar nor greater than ten dollars each. But members of any such association, or the association itself, may own shares in any similar association, limited by section 3, of this act: *Provided*, That the association, as such, may own as much as one-third of the capital stock of any similar association; but no association shall have more than one vote in the management of the affairs of any other association in which it may be a shareholder.

SECTION 9. The capital stock of members shall be exempt from execution and attachment, except for the debts of the association; and no member shall be liable for such debts, beyond a sum equal to the par value of his capital stock paid up; and then only in the proportion that his stock bears to the entire stock paid up of the association.

CHAPTER 287.—*Conspiracy.*

SECTION 1. Any two or more persons who shall combine, associate, agree, mutually undertake, or concert together for the purpose of wilfully or maliciously

injuring another in his reputation, trade, business or profession, by any means whatever, or for the purpose of maliciously compelling another to do or perform any act against his will, or preventing or hindering another from doing or performing any lawful act, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

CHAPTER 349.—*Blacklisting.*

SECTION 1. Any two or more employers who shall agree, combine, and confederate together for the purpose of interfering with or preventing any person or persons seeking employment from obtaining such employment, either by threats, promises or by circulating or causing the circulation of a so-called blacklist, or by any means whatsoever, or for the purpose of procuring and causing the discharge of any employé or employés by any means whatsoever, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment in the county jail for a period of not more than one month or by a fine not less than fifty dollars, or by both.

CHAPTER 427.—*Intimidation of employés, injuring property, etc.*

SECTION 1. Any person who by threats, intimidation, force or coercion of any kind shall hinder or prevent any other person from engaging in or continuing in any lawful work or employment, either for himself or as a wage-worker, or who shall attempt to so hinder or prevent, shall be punished by fine not exceeding one hundred dollars or by imprisonment in the county jail not more than six months, or by both fine and imprisonment in the discretion of the court.

SECTION 2. Any person who shall individually or in association with one or more others, wilfully break, injure or remove any part or parts of any railway car or locomotive, or any other portable vehicle or traction engine, or any part or parts of any stationary engine, machine, implement or machinery, for the purpose of destroying such locomotive, engines, car, vehicle, implement, or machinery, or of preventing the useful operation thereof, or who shall in any other way wilfully or maliciously interfere with or prevent the running or operation of any locomotive, engine or machinery, shall be punished by fine not exceeding one thousand dollars or by imprisonment in the county jail or the state prison not exceeding two years, or by both fine and imprisonment in the discretion of the court.

CHAPTER 437.—*Convict labor.*

SECTION 1. The state board of supervision of charitable, reformatory and penal institutions is hereby authorized, whenever in the opinion of such board it is best for the interests of the state, to establish in the state prison the business of manufacturing, to create a debt in a sum not exceeding one hundred thousand dollars, * * * for the purpose of purchasing machinery and materials to carry on the business of manufacturing within such prison. * * *

SECTION 2. Whenever such board of supervisors shall * * * determine to commence the manufacture of goods, wares and merchandise, within such state's prison, such board shall file written estimates of the materials and cost of same desired to be purchased, and * * * the secretary of state shall draw his warrant on the treasury for the amount necessary to carry into effect the provisions of this act, not exceeding the sum of one hundred thousand dollars.

SECTION 3. In case of the manufacture of goods under sections 1, and 2, of this act, the state board of supervision shall dispose of said goods to the best interests of the state, and at the best prices obtainable.

CHAPTER 453.—*Factories and workshops.*

SECTION 1. The state factory inspector, his assistants, or any officer of the bureau of labor and industrial statistics, shall examine elevators used for carrying freight or passengers, or both, and shall condemn those found to be defective or unsafe by written notice given to the proprietor or owner, or the agent of either, or by posting said notice on the elevator walls or cab. And if any elevator so condemned shall be continued in use without repairs, and loss of limb or life result therefrom, the owner or proprietor so keeping it in use shall be held fully responsible, civilly and criminally, for said loss of limb or life.

SECTION 2. The said factory inspector, or any officer named in section 1, of this act, shall have power to order bull-wheels, fly-wheels, tumbling-rods, elevator

wells, stairways, shafting or dangerous machinery of any kind to be guarded and protected, so as not to hazard the safety of workmen or visitors, any person refusing to obey his orders in this respect, shall be fined fifty dollars for each and every offense.

SECTION 3. Whenever the state factory inspector, or his assistant, or any officer of the bureau of labor and industrial statistics, shall file complaint with any district attorney that any hotel, factory or public building, or any structure whatsoever in his county is being used without fire-escapes, watchmen or other means of safety prescribed by law, the said district attorney shall at once proceed against the offender according to law; and shall without the further aid or presence of the state factory inspector or the other officers named in this section, secure the necessary witnesses and evidence for the complete information of the jury. And in case he shall refuse so to do, the state factory inspector, or any officer named in this act, may file charges against him with the governor, and ask his removal for wilful neglect of duty and malfeasance in office.

CHAPTER 549.—*Factories and workshops.*

SECTION 1. No person, persons or corporation shall employ and put to work in any factory, workshop or other place of employment, or in any room or other part of such factory, workshop or other place of employment, more persons than the laws of health will warrant, as shall be determined by the board of health.

SECTION 2. Every stationary vat, pan or other structure with molten metal or hot liquids shall be surrounded with proper safeguards for preventing accidents or injury to those employed at or near them. All belting, shafting, gearing, hoists, fly-wheels, elevators, and drums of manufacturing establishments so located as to be dangerous to employés when engaged in their ordinary duties shall be securely guarded or fenced so as to be safe to persons employed in any such place of employment.

SECTION 3. Any person, company or corporation who shall refuse or fail to comply with the provisions of this act, shall forfeit not to exceed twenty-five dollars for each offense, and every day's failure after the first conviction shall constitute a separate offense, after due notice by the state factory inspector.

ACTS OF 1889.

CHAPTER 123.—*Railroads—Blocking of frogs.*

SECTION 1. Every railroad corporation operating any railroad, shall erect and maintain sufficient guards or blocks at the front and rear of every frog in every railroad track of any such corporation used and operated in this state.

SECTION 2. If any railroad corporation, its officers, agents or servants, shall violate or fail to comply with any of the provisions of this act, or shall fail to sufficiently guard such frogs, such corporation for each and every such violation or failure shall forfeit not less than fifty nor more than five hundred dollars, one-half to the person prosecuting, and shall in addition be liable to the person injured for all damages sustained thereby, whether the person so injured shall be a servant or agent of such corporation or not, and notwithstanding that such violation or failure shall arise or occur through the negligence of any other agent or servant thereof.

CHAPTER 438.—*Liability of railroad companies for injuries of employés.*

SECTION 1. Every railroad corporation doing business in this state, shall be liable for damages sustained by any employé thereof within this state, without contributing negligence on his part, when such damage is caused by the negligence of any train dispatcher, telegraph operator, superintendent, yard master, conductor or engineer, or of any other employé, who has charge or control of any stationary signal, target point, block or switch.

CHAPTER 474.—*Payment of wages.*

SECTION 1. All wages or compensation for labor or service in the state of Wisconsin, unless there shall be a written contract to the contrary, shall be paid weekly or bi-weekly in cash. But this act shall not be held to annul contracts

in force at the time of its passage, nor to apply to agricultural laborers, commercial travelers, persons working on commission, traveling employés of railway and express companies, persons employed in logging camps, or "driving," running or manufacturing of logs or lumber, nor to any person whose occupation is such as to render him inaccessible on the regular pay day.

CHAPTER 518.—*Conditional sale of personal property.*

SECTION 1. All contracts for the sale of furniture or other household effects made on condition that the title to the property sold shall not pass until the price is paid in full, whether such contract be in the form of a lease or otherwise, shall be in writing, and a copy thereof shall be furnished the vendee by the vendor at the time of such sale; and all payments made by or in behalf of the vendee, and all charges whether in the nature of interest or otherwise as they accrue, shall be endorsed by the vendor or his agent upon such copy, if the vendee so requests. If the vendor fails to comply with any of the provisions of this section through negligence, his rights under such contract shall be suspended while such default continues; and if he refuses, or wilfully or fraudulently fails to comply with any of such provisions, he shall be deemed to have waived the conditions of such sale.

SECTION 2. The vendor, upon taking possession of such furniture or effects for non-compliance with the terms of such contract of sale, shall furnish the vendee or other person in charge of such furniture or effects an itemized statement of the account showing the amount then due thereon, and the vendee shall have the right at any time within fifteen days after such taking to redeem the property so taken by paying to the vendor the full amount of the price then unpaid, together with the interest and all lawful charges and expenses due to the vendor; and the fifteen days hereinbefore provided during which the vendee shall have the right to redeem the furniture or household effects so taken, shall not begin to run until such statement is furnished: *Provided*, The vendee or other person in charge can be found by the vendor by the exercise of reasonable care and diligence. No contract mentioned in this act shall be valid as against any other person than the parties thereto and those having notice thereof unless such contract shall be in writing subscribed by the parties thereto, and the same or a copy thereof shall be filed in the office of the clerk of the town, city, or village where the vendee resides or if he shall not be a resident of the state then in the office of the clerk of the town, city or village where the property may be at the time of making such contract, and such clerk shall file, keep and index the same in like manner as mortgages of personal property, and receive a like compensation therefor; but the effect of such filing shall not extend for more than one year after the time fixed for payment of the contract price or for the performance of the other conditions of such sale.

CHAPTER 519.—*Employment of children.*

SECTION 9. No child under thirteen years of age shall be employed or allowed to work by any person, company, firm, or corporation at labor or service in any shop, factory, mine, store, place of manufacture, business or amusement except as hereinafter provided.

SECTION 10. The judge of the county court in the county where the child resides and is to be employed or to work, may, by order of record, grant a permit to any child over ten years to be exempt and in such county from the operation of this act as to such employment, and to such extent, and for such time and on such terms as may be named in such permit, on its being shown to his satisfaction that such child can read and write the English language and that it is fit and proper considering the lack of means of support of the family of which such child is a member, that such permit should be granted, and such permit may be rescinded by any such judge on written notice to such child, or to any person having control of or employing such child. Such permit must state the age, place of residence and the amount of school attendance prior to the granting of such permit. A record of such permits to be kept in such court. * * * No charge or fee shall be required in any matter under this section.

SECTION 11. No child shall be so employed or work who does not present such permit and every person before employing or permitting such child to so labor, or be at service shall require and retain such permit, and shall keep the same together with a correct list of all children so employed posted in a con-

spicuous manner in the place of employment, and shall show such list on demand, to any school officer or teacher or police officer.

SECTION 12. Any person, company or corporation who employs or permits to be employed or to work any child in violation of this act, and any person having the control of any such child who permits such employment or work, shall, for every offense forfeit a sum of not less than ten dollars, nor more than fifty dollars, * * * and every day of such illegal employment shall constitute a distinct offense.

WYOMING.

CONSTITUTION.

ARTICLE 1.—*Rights of labor to be protected.*

SECTION 22. The rights of labor shall have just protection through laws calculated to secure to the laborer proper rewards for his service and to promote the industrial welfare of the state.

ARTICLE 5.—*Arbitration of labor disputes.*

SECTION 28. The legislature shall establish courts of arbitration, whose duty it shall be to hear, and determine all differences, and controversies between organizations or associations of laborers, and their employers, which shall be submitted to them in such manner as the legislature may provide.

SECTION 30. Appeals from decisions of compulsory boards of arbitration shall be allowed to the supreme court of the state, and the manner of taking such appeals shall be prescribed by law.

ARTICLE 9.—*Mine regulations and inspection.*

SECTION 1. There shall be established and maintained the office of inspector of mines, the duties and salary of which shall be prescribed by law. When said office shall be established, the governor shall, with the advice and consent of the senate, appoint thereto a person proven in the manner provided by law to be competent and practical, whose term of office shall be two years.

SECTION 2. The legislature shall provide by law for the proper development, ventilation, drainage and operation of all mines in the state.

SECTION 3. No boy under the age of fourteen years and no woman or girl of any age shall be employed or permitted to be in or about any coal, iron or other dangerous mines for the purpose of employment therein; *Provided, however*, This provision shall not effect the employment of a boy or female of suitable age in an office or in the performance of clerical work at such mine or colliery.

SECTION 4. For any injury to person or property caused by wilful failure to comply with the provisions of this article, or laws passed in pursuance hereof, a right of action shall accrue to the party injured, for the damage sustained thereby, and in all cases in this state, whenever the death of a person shall be caused by wrongful act, neglect or default, such as would, if death had not ensued, have entitled the party injured to maintain an action to recover damages in respect thereof, the person who, or the corporation which would have been liable, if death had not ensued, shall be liable to an action for damages notwithstanding the death of the person injured, and the legislature shall provide by law at its first session for the manner in which the right of action in respect thereto shall be enforced.

SECTION 6. There shall be a state geologist, who shall be appointed by the governor of the state, with the advice and consent of the senate. * * * Said state geologist shall ex-officio perform the duties of inspector of mines until otherwise provided by law.

ARTICLE 10.—"*Corporations*"—*Certain contracts of employés waiving right to damages, void.*

SECTION 4. * * * Any contract or agreement with any employé waiving any right to recover damages for causing the death or injury of any employé shall be void.

ARTICLE 10.—*Coöperative associations.*

SECTION 10. The legislature shall provide by suitable legislation for the organization of mutual and coöperative associations or corporations.

ARTICLE 19.—"*Homesteads.*"—*Exemption from execution, etc.—Homesteads.*

SECTION 1. A homestead as provided by law shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon.

ARTICLE 19.—"*Concerning labor.*"—*Hours of labor.*

SECTION 1. Eight (8) hours actual work shall constitute a lawful day's work in all mines, and on all state and municipal works.

ARTICLE 19.—"*Labor on public works.*"—*Citizens of the United States only to be employed.*

SECTION 1. No person not a citizen of the United States or who has not declared his intention to become such, shall be employed upon or in connection with any state, county or municipal works or employment.

SECTION 2. The legislature shall by appropriate legislation see that the provisions of the foregoing section are enforced.

ARTICLE 19.—"*Labor contracts.*"—*Certain contracts of employés waiving right to damages, void.*

SECTION 1. It shall be unlawful for any person, company or corporation, to require of its servants or employés as a condition of their employment, or otherwise, any contract or agreement, whereby such person, company or corporation shall be released or discharged from liability or responsibility, on account of personal injuries received by such servants or employés, while in service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employés thereof, and such contracts shall be absolutely null and void.

ARTICLE 19.—"*Police powers.*"—*Importation of men for police duty prohibited.*

SECTION 1. No armed police force, or detective agency, or armed body, or unarmed body of men, shall ever be brought into this state, for the suppression of domestic violence, except upon the application of the legislature, or executive, when the legislature can not be convened.

ARTICLE 21.—*Territorial laws in force in state.*

SECTION 3. All laws now in force in the territory of Wyoming, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the legislature.

REVISED STATUTES OF 1887.

TITLE 7.—*Incorporation of assemblies of the Knights of Labor.*

SECTION 589. Any number of persons, not less than seven, may voluntarily associate themselves together * * * .

SECTION 590. Any such * * * body that may wish to become incorporated * * * shall file in the office of the secretary of the territory and the office of the register of deeds of the county in which such * * * body shall be located, a certificate in writing, setting forth the name of such * * * body, * * * and the place where the same shall be held, * * * and such * * * body or association having filed the certificate required, * * * shall be deemed and held a body corporate and politic, * * * .

SECTION 599. [The above sections] shall be deemed to apply to the order of Knights of Labor and to all or any subordinate or grand lodge or assembly of the Knights of Labor in Wyoming, * * * .

TITLE 10.—*Alien contract labor.*

SECTION 1075. No contract made for labor or services with any alien or foreigner previous to the time that such alien or foreigner may come into the territory, shall be enforced within this territory for any period after six months from the date of such contract.

SECTION 1076. Any alien or foreigner who shall hereafter perform labor or services for any person or persons, company, or corporation within this Territory shall be entitled to recover from such person or persons, company or corporation, a reasonable compensation for such labor or services, notwithstanding such person or persons, company or corporation, may have paid any other party or parties for the same; and in actions for the price of such labor or services no defense shall be admitted to the effect that the defendant or defendants had contracted with other parties, who had, or pretended to have, power or authority to hire out the labor or services of such party or parties, or to receive the pay or price for such labor or services.

SECTION 1077. Any person, whether he or she, acts for himself or herself, or as agent, attorney or employé for another or others, who shall, in pursuance of, or by virtue of, any contract made with any alien or foreigner, made before such alien or foreigner came into the territory, receive or offer to receive any money, pay or remuneration for the labor or services of any alien or foreigner, excepting the person so performing such labor or services, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined in a sum not less than five hundred dollars, and not more than five thousand dollars, and imprisoned in the county jail for not less than three nor more than twelve months, for each and every offense.

TITLE 28.—*Earnings of married women.*

SECTION 1562. Any married woman may * * * perform any labor or services on her sole and separate account and the earnings of any married woman from her * * * labor or services shall be her whole and separate property and may be used and intrusted by her in her own name, and she may sue and be sued as if sole in regard to her * * * labor, services and earnings, * * *.

TITLE 30.—*Coal mine regulations and inspection.*

SECTION 1640. The owner, operator or superintendent of every coal mine shall make or cause to be made an accurate map or plan of such coal mine, on a scale not exceeding two hundred feet to the inch; which map or plan shall exhibit all the openings or excavations, the shafts, tunnels, slopes, planes, gangways, entries, cross-headings, rooms, etc., and shall show the direction of the air currents therein, and shall accurately delineate the boundary line between said mine and adjoining mines, and show its relation and proximity thereto. The said map or plan, or a true copy thereof, shall be kept at such mine by the said owner, operator or superintendent, for the use of the territorial inspector of coal mines, and for the inspection of any miner working in said mine, whenever said miner shall have cause to fear that the place where he is working is becoming dangerous by reason of its proximity to other workings, which may be supposed to contain water or dangerous gases. The said owner, operator or superintendent shall as often as once in every six months accurately place or cause to be placed on a map or plan of said coal mine, a plan of the excavations made of all the working places or other parts of such coal mine during the preceding six months, and whenever the workings or excavations of said coal mine, or any part of the same have been driven to within ten feet of the boundary line, or when said coal mine or any part of the same is abandoned, the owner, operator or superintendent thereof, shall furnish the territorial inspector of coal mines, within three months thereafter, the proximity to the boundary line as aforesaid, or after abandonment of the said mine, or any part of the same with a correct copy on tracing muslin or blue print of the map or plan of said mine, which shall accurately show all excavations and workings of such mines to date, exhibiting clearly the part or parts abandoned, and the part or parts in proximity to the boundary line aforesaid. The several coal maps or plans of mines in the terri-

tory which are furnished to the territorial inspector of coal mines, as last aforesaid, shall be the property of the territory, and shall remain in the care of the said territorial inspector of coal mines, to be transferred by him to his successor in office, and in no case shall any copy of the same be made without the consent of the owner, operator or his agent * * *.

SECTION 1641. It shall not be lawful for the owner, operator, contractor, lessee or agent of any coal mine or for any firm, company, corporation or association, their clerks, servants, agents or employés to employ any person at work within any coal mine or permit any person to be in any coal mine for the purpose of working therein, unless such mine is in communication with at least two openings, if the mine be worked by shaft or slope, which two shafts or slopes shall be separated by natural strata at all points by a distance of not less than fifty feet, except in drift mines heretofore opened, where the mine inspector shall deem it impracticable; *Provided, however*, An aggregate number not exceeding twenty persons may be employed in the mine at any one time until the second opening shall be reached and made available, which said second opening the said inspector of coal mines shall cause to be made without unnecessary delay, and in case of furnace ventilation being used before the second opening is reached, the furnace shall not be placed within forty feet of the foot of the shaft, slope or drift, and shall be well secured from danger from fire by brick or stone walls of sufficient thickness.

SECTION 1642. When a second opening or outlet is made which does not exceed seventy-five feet in vertical depth from the surface to the seam or strata of coal that is being mined, it shall be set apart exclusively for the purpose of ingress and egress to or from the mine by any person or persons employed therein, and it shall always be kept clear of any obstruction, and if the opening is a shaft it shall be so fitted with safe and convenient stairs not less than two feet wide, and not to exceed an angle of sixty degrees descent and landings of not less than eighteen inches wide and four feet long, at easy and convenient distances, and all water coming from the surface or out of the strata in the shaft, shall be so conducted as to be prevented from falling down the shaft on the stairs or on persons ascending or descending the stairway of the shaft. If the second opening is a slope for a traveling way and has a greater angle of descent than twenty-five degrees, it shall be provided with suitable stairs not less than two feet wide, but when the seam or stratum of coal at main outlet or escapement shaft in connection with any mine exceeds seventy-five feet in vertical depth from the surface, the miners or other employés in the mine shall be lowered into or raised from said mine by machinery, and when the employés are lowered into or raised from said mine at the main outlet, the escapement shall be fitted with safe and available machinery or safe and convenient stairs by which persons employed in the mines may readily escape in case of accident. The hoisting machinery and stairs used for lowering or raising the employés into or out of the mine shall be kept in a safe condition and inspected once each twenty-four hours by a competent person employed in whole or in part for that purpose, and such machinery and the method of its inspection shall be approved by the territorial inspector of coal mines.

SECTION 1643. The owner or agent of any coal mine, whether shaft, slope or drift, shall provide and maintain for every such mine, ample means of ventilation, affording not less than one hundred cubic feet per minute for each and every person employed in said mine, and as much more as the circumstances may require, which shall be circulated around the main headings and cross headings and working places to an extent that will dilute, carry off and render harmless the noxious or dangerous gases generated therein, and all mines generating fire-damp shall be kept free of standing gas in the worked-out or abandoned parts of the same, and the entrance thereto shall be properly closed, and cautionary notice shall be posted to warn persons of danger, and every working place and all other places where gas is known or supposed to exist, shall be carefully examined by the fire boss, within three hours immediately before each shift, with a safety lamp, and in making said examination it shall be the duty of the fire boss, at each examination, to leave at the face of every place examined, evidence of his presence, and it shall not be lawful for any miner to enter any mine or part of a mine generating fire damp until it has been examined by the fire boss aforesaid, and by him reported to be safe.

SECTION 1644. It shall be unlawful for any miner, fire boss, employé in any mine, or other person, to brush fire damp from any place in a coal mine by means of a coat, sack, sail cloth, or any like article or material; and any person so offending shall be deemed guilty of a misdemeanor, and upon conviction, shall be imprisoned for a term not exceeding six months, and fined in any sum not to

exceed one hundred dollars, or punished by both such fine and imprisonment. And any owner or superintendent, mine boss or fire boss, who shall knowingly permit the same to be done, shall be deemed guilty of a misdemeanor, subject to the same penalties as hereinbefore prescribed.

SECTION 1645. In order to better secure the proper ventilation of every coal mine and promote the health and safety of the persons employed therein, the owner or agent shall employ a competent and practical inside overseer, to be called mining boss, who shall be an experienced coal miner, and who shall keep a careful watch over the ventilating apparatus and the air ways, traveling ways, pumps and drainage, and shall see that as the miners advance their excavations all loose coal, slate and rock overhead are carefully secured against falling on the traveling ways, and that sufficient props, caps and timbers are furnished upon order of the miner, of suitable size and cut square at both ends, and as near as practicable to a proper length for the places where they are to be used, and such props, caps or timbers shall be delivered at the mouth of the rooms, and shall see that all water be drained or hauled out of all working places before the miner enters, and as far as practicable kept dry while the miner is at work; and it shall be the further duty of the mining boss to see that the proper cut-throughs are made in the room pillars of the miners' places at intervals of not more than sixteen yards for the purpose of ventilation, and in all hauling roads, holes for shelter shall be made at every thirty yards, and be kept whitewashed, when a space two feet and six inches between the wagon and rib shall be deemed sufficient for shelter, and the mining boss shall measure the air current at least once a week at the inlet and outlet and at or near the face of the headings. He shall keep a record of such measurements, which shall be placed by him in a book kept for that purpose, said book to be open for the examination of the said territorial inspector; he shall also, on or about the fifteenth day of each month, mail to the territorial inspector of coal mines a true copy of the air measurements given, stating also the number of persons employed in or about said mine, the number of mules and horses used, and the number of days worked in each month, for which purpose blanks shall be furnished by the said inspector. It shall be the further duty of the mining boss to immediately notify the owner or agent of the mine of his inability to comply with the provisions of this section. It shall then become the duty of the said superintendent, operator, owner or agent at once to attend to the matter complained of by the mining boss, and to comply with the provisions hereof. The safety lamps used for examining mines, or which may be used in working therein, shall be furnished by and be the property of the owner of said mine, and shall be in charge of the agent of such mine, and in all mines the doors used in assisting or directing the ventilation of the mine shall be so hung and adjusted that they will close themselves, or be supplied with springs or pulleys so that they can not be left standing open, and bore holes shall be kept not less than twelve feet in advance of the face of every working place, and when necessary on the sides of the same when they are being driven towards and in dangerous proximity to an abandoned mine or part of a mine, suspected of containing inflammable gases, or which is inundated with water. The mining boss or his assistant shall visit and examine every working place in the mine at least once every alternate day, while the miners of such place are or should be at work, and shall direct that each and every working place is properly secured by props or timber, and that safety in all respects is assured, and that no person shall be permitted to work in an unsafe place, unless it be for the purpose of making it safe. All owners and operators of coal mines shall keep posted in a conspicuous place about their mine printed rules, submitted to and approved by the territorial inspector, defining the duties of all persons employed in or about said coal mines, which said notices shall be printed in the language or languages used by the miners working therein.

SECTION 1646. Any miner, workman, or other person who shall intentionally injure any shaft, lamp, instrument, air course or brattise, or obstruct or throw open air ways, or carry lighted pipes or matches into places that are worked by safety lamps, or handle or disturb any part of the machinery, or open a door and not close it again, or enter any place of the mine against caution, or disobey any order given in carrying out the provisions of this chapter, or do any other act, whereby the lives or the health of persons or security of the mines or machinery is endangered, shall be deemed guilty of a misdemeanor, and may be punished in a manner provided in section sixteen hundred and fifty-nine. All machinery about mines shall be properly fenced off, and there shall be cut in the side of every hoisting shaft, at the bottom thereof, a traveling way sufficiently wide and high to enable persons to pass the shaft in going from one side of the mine to the other, without passing over or under the cage or other hoisting apparatus,

SECTION 1647. The governor shall nominate, and by and with the consent of the council appoint, during the present session of the legislative assembly, and every two years thereafter, a territorial inspector of coal mines, who shall hold his office for two years, and until his successor is duly appointed and qualified, who shall be a man having a thorough knowledge of practical mining and mining engineering, and who shall not be an employé, owner or part owner in any coal mine in the territory. He shall not be less than thirty years of age, a citizen of the United States, and if practicable, of this territory, of good repute and temperate habits. The said territorial inspector of coal mines shall receive an annual salary of two thousand five hundred dollars, and actual traveling expenses while in the discharge of his duties, to be paid quarterly by the territorial treasurer, upon warrants of the auditor, and shall make his residence and keep his office as near as practicable to the mines under his jurisdiction. Said inspector is hereby authorized to procure such instruments and chemical tests and stationery, and to incur such expense of communication from time to time as may be necessary to the discharge of his duties, at the cost of the territory, subject to the approval of the governor of the territory, which shall be paid out of the territorial treasury, upon accounts duly certified by him and audited by the auditor. All instruments, plans, books, memoranda, notes and other property pertaining to the office hereby created shall be the property of the territory, and shall be delivered by each inspector to his successor in office, and said inspector shall be allowed all expenses necessarily incurred in enforcing the provisions of this chapter in the courts of the territory, when such expenses are certified to be correct by the courts before which the proceedings were had.

SECTION 1648. * * * The said inspector shall devote the whole of his time to the duties of his office; it shall be his duty to examine the coal mines of the territory as often as possible, which shall not be less than once in three months, and report the number of times he has visited each mine in a year, to see that all the provisions of this chapter are observed and strictly carried out: and he shall make records of all examinations of mines, showing the condition in which he finds them, especially in reference to ventilation and drainage, the number of mines in the territory, the number of persons employed in each mine, the extent to which the laws are obeyed, the progress made in the improvement sought to be secured by the passage of this chapter, the number of accidents and deaths resulting from injuries received in or about the mine, with cause of such accident or death, said report to be made quarterly, and published in at least one paper in each county in which any coal mines are located, at least one time.

SECTION 1649. The territorial inspector of coal mines shall have the right at all times to enter any coal mine to make examinations or obtain information, and the owner or superintendent shall afford any assistance necessary to the said inspector in making such examination. The said inspector shall notify the owner, lessee, superintendent or mining boss, immediately of the discovery of any violation of this chapter, and of the penalty imposed thereby for such violation, and in case of such notice being disregarded for the space of five days, he shall institute proceedings against the owner, agent, lessee or mining boss, under the provisions of section sixteen hundred and fifty-nine; in case, however, where, in the judgment of the said inspector, delay may jeopardize life or limb, he may at once enter proceedings (except the defects be remedied) to restrain working of the mine; and the cost of said proceedings, including the charge of the attorney prosecuting the same, shall be borne by the owner, lessee or superintendent, against whom such proceedings are had: *Provided*, That no attorney fee exceeding the sum of fifty dollars shall be taxed in any one case for the prosecution of such case: *And provided further*, That if the court shall find the cause not sufficient, then the case shall be dismissed and the costs be borne by the territory.

SECTION 1650, (as amended by chapter 43, acts of 1890). Whenever, by reason of any explosion, or any other accident, in any coal mine or the machinery connected therewith, loss of life or serious personal injury shall occur, it shall be the duty of the person having charge of such mine or colliery to give a notice thereof forthwith to the territorial inspector of coal mines, and if any person is killed thereby to the coroner of the county, who shall give due notice of the inquest to be held. If the coroner shall determine to hold an inquest the said inspector shall be allowed to testify and offer such testimony as he shall deem necessary to thoroughly inform the said inquest of the causes of the death, and the said inspector shall have authority at any time to appear before said coroner and jury and question or cross-question any witness, and in choosing a jury for the purpose of holding such inquest it shall be the duty of the coroner to empanel at least one experienced miner on such jury. It shall be the duty of the said

inspector, upon being notified as herein provided, to immediately repair to the scene of the accident and make such suggestions as may appear necessary to secure the future safety of the men, and if the results of the explosion or accident do not require an investigation by the coroner, he shall proceed to investigate and ascertain the cause of the explosion or accident and make a record thereof, which he shall file as provided for, and to enable him to make the investigation he shall have the power to compel the attendance of persons to testify, and to administer oaths or affirmations. The cost of such investigations shall be paid by the county in which the accident occurred in the same manner as costs of coroners' inquests are paid by law.

SECTION 1653. On the petition of the mining inspector the district court in any county in this territory shall appoint an examining board for such county, consisting of the territorial inspector of coal mines, an operator of a coal mine and a coal miner, who shall be citizens of the United States, and the latter two of which board shall have at least five years of experience in the mines of the territory, whose duty it shall be to examine any person applying thereto as to his competency and qualifications to discharge the duties of mining boss. * * *

SECTION 1654. No boy under the age of fourteen years, and no woman or girl of any age shall be employed or permitted to be in or about any coal mine for the purpose of employment therein; *Provided, however*, That this provision shall not affect the employment of a boy or female of suitable age in an office or in the performance of clerical work at such mine or colliery.

SECTION 1655. For any injury to person or property occasioned by any violation of this chapter, or any wilful failure to comply with its provisions, a right of action against the party at fault shall accrue to the party injured for the direct damages sustained thereby, and in any case of loss of life, by reason of such violation or wilful failure, a right of action against the party at fault shall accrue to the administrator of the estate whose life shall be lost, for like recovery of damages for the injuries they shall have sustained; *Provided*, That nothing in this section shall be so construed as to prevent the recovery of any lawful damages against the person or company operating mines if said company should be found in fault or shall have contributed to any accident by means of carelessness on their part; *And provided further*, That in no case shall the territory be liable for damages under this chapter.

SECTION 1656. It shall be the duty of owners, operators, lessees, superintendents and agents of coal mines, to keep at the mouth of the drift, shaft or slope, or at any such other place or places as shall be designated by the inspector, stretchers in such number as the inspector shall designate, properly constructed for the purpose of carrying away any miner or employé working in and about such mine, who may in any way be injured in and about his employment.

SECTION 1657. It shall be the duty of the territorial inspector of coal mines on each visit to any mines, to make out a written or partly written and partly printed report of the condition in which he finds such mines, and post the same in the office at the mine; the said report shall give the date of visit, the number of visits during the year, the total number of mines in the territory, the number of feet of air in circulation and where measured, and such other information as he shall deem necessary, and the report shall remain posted in the office for one year, and said report may be examined by any miner or person employed in and about such mine.

SECTION 1658. On or before the thirty-first day of January in each year, the owner, operator or superintendent of every mine or colliery shall send to the territorial inspector a correct report, specifying with respect to the year, ending the thirty-first day of the preceding December, the name of the owner, operator and officers of the mine, and the quantity of coal mined, and the number of men employed; the report shall be in such form and give such information as may be from time to time required and prescribed by the inspector; blank forms for such report shall be furnished by the territory.

SECTION 1659. The neglect or refusal to perform the duties required to be performed by any section of this chapter by the parties therein required to perform them, or the violations of any of the provisions or requirements thereof, shall be deemed a misdemeanor, and shall upon conviction, except wherein otherwise provided, be punished by a fine of not less than two hundred dollars and not exceeding five hundred dollars, at the discretion of the court; *Provided*, That in case the neglect, or failure, or violation occurs in the case of the territorial inspector of coal mines, if such violation, failure or neglect is shown to have been wilful, such punishment shall be by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment not less

than six months nor more than one year, or by both such fine and imprisonment; and in default of payment of any fine imposed upon any person under this chapter, such person may be committed to jail until the same shall be paid.

SECTION 1660. The provisions of this chapter shall not apply to any mine employing an average of less than ten persons during any one twenty-four hours.

TITLE 38.—*Exemption from execution, etc.—Homesteads.*

SECTION 2780. Every householder in the territory of Wyoming, being the head of a family, shall be entitled to a homestead, not exceeding in value the sum of fifteen hundred dollars, exempt from execution and attachment arising from any debt, contract or civil obligation entered into or incurred.

SECTION 2781. Such homestead shall only be exempt as provided in the last preceding section, while occupied as such by the owner thereof, or the person entitled thereto, or his or her family.

SECTION 2782. When any person dies seized of a homestead, leaving a widow or husband, or minor children, such widow or husband, or minor children, shall be entitled to the homestead, but in case there is neither widow, husband nor minor children, the homestead shall be liable for the debts of the deceased.

SECTION 2783. The homestead mentioned in this subdivision may consist of a house and lot, or lots, in any town or city, or if a farm consisting of any number of acres, not exceeding one hundred and sixty acres, so that the value does not exceed fifteen hundred dollars.

SECTION 2786. In case of the sale of said homestead on execution or otherwise, the proceeds of such sale, not to exceed fifteen hundred dollars, shall be exempt from attachment or levy on execution, and any subsequent homestead acquired by the proceeds thereof, shall also be exempt from execution or attachment, nor shall any judgment or other claim against the owner of such homestead be a lien against the same, in the hands of a *bona fide* purchaser for a valuable consideration.

TITLE 38.—*Exemption from execution, etc.—Personal property.*

SECTION 2787. The necessary wearing apparel of every person, not exceeding in value the sum of one hundred and fifty dollars, to be determined in the same manner as provided in the next section, shall be exempt from levy or sale upon execution, writ of attachment, or any process issuing out of any court in this territory.

SECTION 2788. The following property, when owned by any person, being the head of a family, and residing with the same, shall be exempt from levy or sale upon execution, writ of attachment, or any process issuing out of any court in this territory, and such articles of property shall continue exempt while the family of such person are removing from one place of residence to another in this territory: *Provided*, That no property of any person about to remove or abscond from this territory shall be exempt under the provisions of this subdivision:

First. The family bible, pictures and schoolbooks;

Second. A lot in any cemetery or burial ground;

Third. Furniture, bedding, provisions and such other articles as the debtor may select, not to exceed in all the value of five hundred dollars, the value of the property selected by any debtor to be ascertained by the appraisement of three disinterested householders, to be selected and summoned by the officer claiming to levy upon, attach or sell such property, the appraisers shall be sworn by the officer to make a true appraisement of the value of such property, and shall be entitled to receive one dollar each for their services, and the officer levying upon or attaching such property, shall receive two dollars for all services in determining the property exempt, and the value thereof; the fees of the officer and appraisers to be paid by the party for whose benefit the process may have been issued, and to be taxed as costs in the cause in which such process issued.

SECTION 2789. Whenever, in any case, the head of a family shall die, desert or cease to reside with the same, the said family shall be entitled to and receive all the benefits and privileges which are in the preceding section conferred upon the head of a family residing with the same, and in such case the said family, or any member thereof, may make selection of the property claimed as exempt: *Provided*, That in any case where the property before mentioned shall be the sole and separate property of the wife, it shall, to the same extent and for all purposes, be exempt for the debts of the wife.

SECTION 2790. The tools, team and implements, or stock in trade of any mechanic, miner or other person, used and kept for the purpose of carrying on his trade or business, not exceeding in value three hundred dollars, the library, instruments and implements of any professional man, not exceeding in value three hundred dollars, shall be exempt from levy or sale upon execution, writ of attachment or any process issuing out of any court in this territory; the value of any property claimed to be exempt under this section shall be determined in all respects, and the fees shall be the same as specified in section twenty-seven hundred and eighty-eight: *Provided*, That no article of property in this and the preceding sections of this subdivision mentioned, shall be exempt from attachment of sale upon execution for the purchase money of said article of property; *And provided further*, That the person or persons claiming such exemptions shall be a *bona fide* resident of this territory.

TITLE 38.—*Exemption from execution, etc.—Wages.*

SECTION 2831, (as amended by chapter 81, acts of 1888). The judge may order any property of the judgment debtor, or money due to him, not exempt by law, in the hands of either of himself or other person, or of a corporation, to be applied toward the satisfaction of the judgment; but the earnings of a judgment debtor for his personal services to an amount not exceeding one hundred dollars, can not be so applied, when it is made to appear, by the affidavit of the debtor, or otherwise, that such earnings are necessary for the use of a family within the territory of Wyoming, supported wholly or in part by his labor. This section shall apply to proceedings in attachment and to proceedings in all the courts of this territory.

TITLE 39.—*Convict labor.*

SECTION 3373. The person or persons in charge of any penitentiary or reformatory, jail or other prison in the territory of Wyoming, wherein territorial convicts are confined, shall not, nor shall any authority whatsoever, make any contract for the employment of any territorial convict in any of the prisons, penitentiaries or reformatories in this territory, either by the letting of the labor of such convicts at a fixed price per diem, or by what is known as the "piece price plan," or in any other manner, whereby the labor of such convicts is let to or controlled by any outside person or persons; and such convicts shall not be employed by any authority whatever upon any public work or contract outside of the prison, penitentiary, or reformatory in which such convicts may be confined.

SECTION 3374. No person or persons confined in any county jail, or in any jail or prison of any city, town, village or municipality, charged with any offense and awaiting the action of the grand jury, or any person who is charged with any offense and is awaiting trial therefor, shall be employed or put to work upon any public work or improvement, or upon the highways, streets, alleys, parks or public places of any such county, city, town, village or municipality; *Provided*, That all persons convicted by court of competent jurisdiction, and sentenced to confinement at hard labor in any jail or prison of any county, city, town, village or municipality, may be employed or put to work upon any public work of improvement, or upon the highways, streets, alleys, parks or public places of any such county, city, town, village or municipality in the territory.

SECTION 3375. Nothing in the two preceding sections contained shall be construed to prohibit the territory from employing its convicts confined in a prison, penitentiary or reformatory, within the territory, upon any work within said prison, penitentiary or reformatory, upon its own account; *Provided*, That such employment, if any, shall be so conducted as to offer no competition to free labor, and such employment on territorial account shall not be enforced or required any further than shall be necessary for the proper physical and moral well-being of such convicts.

TITLE 43.—*Exemption from taxation.*

SECTION 3771. The following described property is hereby exempt from taxation:

* * * * * * *

Fifth. Household and kitchen furniture, beds and bedding, wearing apparel of every person, wool, flax and tow, intended to be manufactured, and the food

provided for each family, not to exceed in all, the value of one hundred dollars; * * *.

ACTS OF 1888.

CHAPTER 86.—*Sunday labor.*

SECTION 2. It shall be unlawful for any person or persons, company or corporation, to keep open any barber shop, store, shop or other place of business for the transaction of business therein, upon the first day of the week, commonly called Sunday; *Provided*, This section shall not apply to newspaper printing offices, railroads, telegraph companies, hotels, restaurants, drug stores, livery stables, news depots, farmers, cattlemen and ranchmen, mechanics, furnaces or smelters, glass works, electric light plants and gas works, the vendors of ice, milk, fresh meat and bread, except as to the sale of liquors and cigars. Any person, company or corporation who shall violate the provisions of this section, shall, on conviction thereof, be fined in a sum of money not less than twenty-five dollars, nor more than one hundred dollars for each offence.

SECTION 4. For the purposes of this act the first day of the week, commonly called Sunday, shall begin at midnight Saturday, and terminate the following midnight.

ACTS OF 1890.

CHAPTER 79.—*Weighing coal at mines.*

SECTION 1. It shall be unlawful for any mine owner, lessee, operator, agent or company in this (state), employing miners at bushel or ton rates or other quantities, in mining coal, to pass the output of coal mined by said miners over any screen or any device which shall take any part of the marketable coal from the amount thereof, before the same shall have been weighed and duly credited to the employés sending the same to the surface, unless otherwise agreed upon between miners and their employers. In case of any agreement where coal is credited to miners after having been screened and weighed, said miners or employés shall receive compensation for all marketable or salable coal sent by them to the surface and accounted for at the customary rate of weights.

SECTION 2. Any person, company or corporation having or using scales for the purpose of weighing the output of coal mines in the territory of Wyoming, so arranged or constructed that fraudulent or incorrect weighing may be done thereby, or who shall knowingly resort to or employ any means whatever by reason of which such coal as may be mined shall not be correctly weighed and reported according to the provisions of this act, shall be deemed guilty of a misdemeanor and shall be liable to the penalties as provided for in section four of this act.

SECTION 3. The provisions of this act shall also apply to the class of workers in mines known as loaders, engaged in mines where mining is done by machinery, wherever the workers are under contract to load coal by the bushel, ton or quantity, it shall be settled for in accordance with this act.

SECTION 4. Any person or persons violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars or be imprisoned in the county jail for a term of not more than three months, or both such fine and imprisonment, at the discretion of the court.

CHAPTER 80.—*Protection of employés as voters.*

SECTION 174. * * * * * * *

Eighth. No person shall attempt to influence the vote of any elector by means of * * * threats of * * * discharging from employment, * * *.

UNITED STATES.

CONSTITUTION.

THIRTEENTH AMENDMENT.—*Slavery, etc., prohibited.*

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

REVISED STATUTES OF 1878.

TITLE 24.—*Peonage abolished, etc.*

SECTION 1990. The holding of any person to service or labor under the system known as peonage is abolished and forever prohibited in the territory of New Mexico, or in any other territory or state of the United States; and all acts, laws, resolutions, orders, regulations, or usages of the territory of New Mexico, or of any other territory or state, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, are declared null and void.

[Further legislation upon the subject of peonage is contained in the following two sections of title 70.]

SECTION 5526. Every person who holds, arrests, returns, or causes to be held, arrested, or returned, or in any manner aids in the arrest or return of any person to a condition of peonage, shall be punished by a fine of not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one year nor more than five years, or by both.

SECTION 5527. Every person who obstructs or attempts to obstruct, or in any way interferes with, or prevents the enforcement of, the preceding section, shall be liable to the pains and penalties therein prescribed.

TITLE 29.—*The coolie trade prohibited.*

SECTION 2158. No citizen of the United States, or foreigner coming into or residing within the same, shall, for himself or for any other person, either as master, factor, owner, or otherwise, build, equip, load, or otherwise prepare, any vessel, registered, enrolled, or licensed, in the United States, for the purpose of procuring from any port or place the subjects of China, Japan, or of any other oriental country, known as "coolies," to be transported to any foreign port, or place, to be disposed of, or sold, or transferred, for any time, as servants or apprentices, or to be held to service or labor.

SECTION 2161. Every citizen of the United States who, contrary to the provisions of section 2158, takes on board of any vessel, or receives or transports any such subjects as are described in that section, for the purpose of disposing of them in any way as therein prohibited, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

[The following further legislation upon the above subject comprises part of chapter 141 on page 181 of the supplement to the Revised Statutes of 1881.]

SECTION 2. If any citizen of the United States, or other person amenable to the laws of the United States, shall take, or cause to be taken or transported, to or from the United States any subject of China, Japan, or any oriental country, without their free and voluntary consent, for the purpose of holding them to a term of service, such citizen or other person shall be liable to be indicted therefor, and, on conviction of such offense, shall be punished by a fine not exceeding two thousand dollars and be imprisoned not exceeding one year; and all contracts and agreements for a term of service of such persons in the United States, whether made in advance or in pursuance of such illegal importation,

and whether such importation shall have been in American or other vessels, are hereby declared void.

SECTION 4. If any person shall knowingly and willfully contract, or attempt to contract, in advance or in pursuance of such illegal importation, to supply to another the labor of any cooly or other person brought into the United States in violation of section 2158 of the Revised Statutes, or of any other section of the laws prohibiting the cooly-trade or of this act, such person shall be deemed guilty of a felony, and, upon conviction thereof, in any United States court, shall be fined in a sum not exceeding five hundred dollars and imprisoned for a term not exceeding one year.

TITLE 43.—*Hours of labor—Public works.*

SECTION 3738. Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the government of the United States.

TITLE 52.—*Inspection, etc., of steam-vessels.*

SECTION 4399. Every vessel propelled in whole or in part by steam shall be deemed a steam-vessel within the meaning of this title.

SECTION 4400. All steam-vessels navigating any waters of the United States which are common highways of commerce, or open to general or competitive navigation, excepting public vessels of the United states, vessels of other countries, and boats propelled in whole or in part by steam for navigating canals, shall be subject to the provisions of this title.

SECTION 4401. All coastwise sea-going vessels, and vessels navigating the Great Lakes, shall be subject to the navigation laws of the United States, when navigating within the jurisdiction thereof; and all vessels, propelled in whole or in part by steam, and navigating as aforesaid, shall be subject to all the rules and regulations established in pursuance of law for the government of steam-vessels in passing, as provided by this title; and every coastwise sea-going steam-vessel subject to the navigation laws of the United States, and to the rules and regulations aforesaid, not sailing under register, shall, when under way, except on the high seas, be under the control and direction of pilots licensed by the inspectors of steamboats.

SECTION 4402. There shall be a supervising inspector-general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the steamboat inspection service, * * * .

SECTION 4404. There shall be ten supervising inspectors, who shall be appointed by the President, by and with the advice and consent of the Senate. Each of them shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and shall be a competent judge of the character and qualities of steam-vessels, and of all parts of the machinery employed in steaming. * * *

SECTION 4406. Each supervising inspector shall watch over all parts of the territory assigned to him, shall visit, confer with, and examine into the doings of the local boards of inspectors within his district, and shall instruct them in the proper performance of their duties; and shall, whenever he thinks it expedient, visit any vessels licensed, and examine into their condition, for the purpose of ascertaining whether the provisions of this title have been observed and complied with, both by the board of inspectors and the masters and owners. All masters, engineers, mates, and pilots of such vessels shall answer all reasonable inquiries, and shall give all the information in their power in regard to any such vessel so visited, and her machinery for steaming, and the manner of managing both.

SECTION 4412. The board of supervising inspectors shall establish such regulations to be observed by all steam-vessels in passing each other, as they shall from time to time deem necessary for safety; two printed copies of such regulations, signed by them, shall be furnished to each of such vessels, and shall at all times be kept posted up in conspicuous places in such vessels.

SECTION 4413. Every pilot, engineer, mate, or master of any steam-vessel who neglects or willfully refuses to observe the regulations established in pursuance of the preceding section, shall be liable to a penalty of fifty dollars, and for all

damages sustained by any passenger, in his person or baggage, by such neglect or refusal.

SECTION 4414. There shall be, in each of the following collection-districts, one inspector of hulls and one inspector of boilers: * * *

In the districts of New York and New Orleans, * * *.

In the districts of Philadelphia, Baltimore, Buffalo, Saint Louis, Louisville, Cincinnati, Pittsburg, San Francisco, Boston, Detroit, Chicago, Milwaukee, Huron, and Galena, * * *.

In the district of Michigan, * * *.

In the districts of Mobile, Memphis, and Cleveland, * * *.

In the districts of Willamette, New London, Norfolk, Charleston, Savannah, Galveston, Albany, Wheeling, Nashville, Portland, and Evansville, * * *.

In the districts of Puget Sound, Apalachicola, Oswego, Burlington, and Superior, * * *.

And in addition, the secretary of the treasury may appoint in such districts, where their services are actually required, assistant inspectors, * * *.

SECTION 4417. The local inspectors shall, once in every year, at least, upon application in writing of the master or owner, carefully inspect the hull of each steam-vessel within their respective districts, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation as a steamer, with safety to life, and that all the requirements of law in regard to fires, boats, pumps, hose, life-preservers, floats, anchors, cables, and other things, are faithfully complied with; and if they deem it expedient, they may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

SECTION 4418. The local inspectors shall also inspect the boilers of all steam-vessels before the same shall be used, and once at least in every year thereafter. They shall subject all boilers to the hydrostatic pressure; and shall satisfy themselves by thorough examination that the boilers are well made, of good and suitable material; that the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat, are of proper dimensions and free from obstruction; that the spaces between and around the flues are sufficient; that the flues are circular in form; that the fire line of the furnace is at least two inches below the prescribed minimum water-line of the boilers; that the arrangement for delivering the feed water is such that the boilers can not be injured thereby; and that such boilers and machinery, and the appurtenances, may be safely employed in the service proposed in the written application, without peril to life. They shall also satisfy themselves that the safety-valves are of suitable dimensions, sufficient in number, and well arranged; and that the weights of the safety-valves are properly adjusted, so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there is a sufficient number of gauge-cocks properly inserted, and, to indicate the pressure of steam, suitable steam-registers that will correctly record each excess of steam carried above the prescribed limit and the highest point attained; and that there are reliable low-water gauges, and that the fusible metals are properly inserted so as to fuse by the heat of the furnace, whenever the water in the boilers falls below its prescribed limits; and that adequate and certain provision is made for an ample supply of water to feed the boilers at all times, whether such vessel is in motion or not, so that in high-pressure boilers the water shall not be less than four inches above the top of the flues; and that means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers, when they are under pressure of steam. In subjecting to the hydrostatic tests boilers usually designated and known as high-pressure boilers, the inspectors shall assume one hundred and ten pounds to the square inch, as the maximum pressure allowable as a working-power for a new boiler of forty-two inches in diameter, made in the best manner, of inspected iron plates, one-fourth of an inch thick, and of a quality required by law, and shall rate the working-power of all high-pressure boilers, whether old or new, according to their strength, compared with this standard; and in all cases the test applied shall exceed the working-power allowed in the ratio of one hundred and sixty-five to one hundred and ten. In subjecting to the hydrostatic tests boilers usually designated and known as low-pressure boilers, the inspectors shall allow as a working-power for each new boiler, a pressure of only three-fourths the number of pounds to the square inch to which it has been subjected by the hydrostatic test, and for which it has been found to be sufficient. Should the inspectors be of the opinion that any boiler,

by reason of its construction or material, will not safely allow so high a working pressure as is above described, they may, for reasons to be stated specially in their certificate, fix the working-pressure of such boiler at less than three-fourths of the test pressure. All boilers used on steam-vessels and constructed of iron or steel plates, inspected under the provisions of section forty-four hundred and thirty, shall be subjected to a hydrostatic test, in the ratio of one hundred and fifty pounds to the square inch to one hundred pounds to the square inch of the working steam-power allowed. No boiler or pipe, nor any of the connections therewith, shall be approved, which is made, in whole or in part, of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use, or other cause.

SECTION 4419. One of the safety-valves may, if in the opinion of the local inspectors it is necessary to do so, and the steam-registers shall, be taken wholly from the control of all persons engaged in navigating such vessel and secured by the inspectors.

SECTION 4425. Every inspector who willfully certifies falsely touching any steam-vessel, as to her hull, accommodations, boilers, engines, machinery, or their appurtenances, or any of her equipments, or any matter or thing contained in any certificate signed and sworn to by him, shall be punished by fine of not more than five hundred dollars, or imprisonment for not more than six months, or both.

SECTION 4426. The hull and boilers of every ferry-boat, canal-boat, yacht, or other small craft of like character, propelled by steam, shall be inspected under the provisions of this title. Such other provisions of law for the better security of life, as may be applicable to such vessels, shall, by the regulations of the board of supervising inspectors, also be required to be complied with, before a certificate of inspection shall be granted, and no such vessel shall be navigated without a licensed engineer and a licensed pilot.

SECTION 4427. The hull and boiler of every tug-boat, towing-boat, and freight-boat shall be inspected, under the provisions of this title; and the inspectors shall see that the boilers, machinery, and appurtenances of such vessel are not dangerous in form or workmanship, and that the safety-valves, gauge-cocks, low-water alarm indicators, steam-gauges, and fusible plugs are all attached in conformity to law; and the officers navigating such vessels shall be licensed in conformity with the provisions of this title, and shall be subject to the same provisions of law as officers navigating passenger steamers.

SECTION 4428. Every boiler manufactured to be used on steam-vessels, and made of iron or steel plates, shall be constructed of plates that have been stamped in accordance with the provisions of this title.

SECTION 4429. Every person who constructs a boiler, or steam-pipe connecting the boilers, to be used on steam-vessels, of iron or steel plates which have not been duly stamped and inspected according to the provisions of this title, or who knowingly uses any defective, bad, or faulty iron or steel in the construction of such boilers; or who drifts any rivet-hole to make it come fair; or who delivers any such boiler for use, knowing it to be imperfect in its flues, flanging, riveting, bracing, or in any other of its parts, shall be fined one thousand dollars, one-half for the use of the informer. Nothing in this title shall be so construed as to prevent from being used, on any steamer, any boiler or steam-generator which may not be constructed of riveted iron or steel plates, when the board of supervising inspectors have satisfactory evidence that such boiler or steam-generator is equal in strength, and as safe from explosion, as a boiler of the best quality constructed of riveted iron or steel plates.

SECTION 4430. Every iron or steel plate used in the construction of steamboat boilers, and which shall be subject to a tensile strain, shall be inspected in such manner as shall be prescribed by the board of supervising inspectors and approved by the secretary of the treasury, so as to enable the inspectors to ascertain its tensile strength, homogeneousness, toughness, and ability to withstand the effect of repeated heating and cooling; and no iron or steel plate shall be used in the construction of such boilers which has not been inspected and approved under those rules.

SECTION 4431. Every plate of boiler iron or steel, made for use in the construction of steamboat boilers, shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates are worked into boilers, with the name of the manufacturer, the place where manufactured, and the number of pounds tensile strain it will bear to the sectional square inch; and the inspectors shall keep a record in their office of the stamps upon all boiler-plates and boilers which they inspect.

SECTION 4432. Every person who counterfeits, or causes to be counterfeited, any of the marks or stamps prescribed for boiler-iron or steel plates, or who designedly stamps, or causes to be stamped falsely, any such plates; and every person who stamps or marks, or causes to be stamped or marked, any such iron or steel plates with the name or trade-mark of another, with the intent to mislead or deceive, shall be fined two thousand dollars, one-half to the use of the informer, and may, in addition thereto, at the discretion of the court, be imprisoned not exceeding two years.

SECTION 4436. Every boiler shall be provided with a good, well constructed safety-valve or valves, of such number, dimensions, and arrangements as shall be prescribed by the board of supervising inspectors, and shall also be provided with a sufficient number of gauge-cocks and a reliable low-water indicator that will give alarm when the water falls below its prescribed limits; and in addition thereto there shall be inserted, in a suitable manner, in the flues, crown-sheet, or other parts of the boiler most exposed to the heat of the furnace when the water falls below its prescribed limits, a plug of good Banca tin.

SECTION 4437. Every person who intentionally loads or obstructs, or causes to be loaded or obstructed, in any way or manner, the safety-valve of a boiler, or who employs any other means or device whereby the boiler may be subjected to a greater pressure than the amount allowed by the certificate of the inspectors, or who intentionally deranges or hinders the operation of any machinery or device employed to denote the state of the water or steam in any boiler, or to give warning of approaching danger, or who intentionally permits the water to fall below the prescribed low-water line of the boiler, and every person concerned therein, directly or indirectly, shall be guilty of a misdemeanor, and shall be fined two hundred dollars, and may also be imprisoned not exceeding five years.

SECTION 4453. In addition to the annual inspection, the local inspectors shall examine, at proper times, steamers arriving and departing to and from their respective ports, so often as to enable them to detect any neglect to comply with the requirements of law, and also any defects or imperfections becoming apparent after the inspection aforesaid, and tending to render the navigation of the vessels unsafe; and if they shall discover any omissions to comply with the law, or that repairs have become necessary to make the vessel safe, the inspectors shall at once notify the master, in writing, stating in the notice what is required; and if the master deems the requirements unreasonable or unnecessary, he may apply for a reëxamination of the case to the supervising inspector, as provided in the preceding section. All inspections and orders for repairs shall be promptly made by the inspectors, and, when it can be safely done in their judgment, they shall permit repairs to be made where those interested can most conveniently do them.

SECTION 4454. If any master or owner of any steamer shall refuse or neglect to comply with the requirements of the local inspectors, made in pursuance of the preceding section, and shall, contrary thereto and while the same remains unreversed by the supervising inspector, employ the vessel by navigating her, the master and owner shall be liable to a penalty of five hundred dollars for each offense, one-half for the use of the informer; for which sum the vessel itself shall be liable, and may be seized and proceeded against by libel in any district court having jurisdiction; and the master and owner, and the vessel itself, shall, in addition thereto, be liable for any damage to passengers and their baggage which shall occur from any defects as stated in the notice prescribed by the preceding section.

TITLE 53.—*Seamen.*

SECTION 4509. Every shipping commissioner appointed under this title shall, if applied to for the purpose of apprenticing boys to the sea-service, by any master or owner of a vessel, or by any person legally qualified, give such assistance as is in his power for facilitating the making of such apprenticeships; but the shipping commissioner shall ascertain that the boy has voluntarily consented to be bound, and that the parents or guardian of such boy have consented to such apprenticeship, and that he has attained the age of twelve years, and is of sufficient health and strength, and that the master to whom such boy is be bound is a proper person for the purpose. Such apprenticeship shall terminate when the apprentice becomes eighteen years of age. The shipping commissioner shall keep a register of all indentures of apprenticeship made before him.

SECTION 4510. The master of every foreign-going vessel shall, before carrying any apprentice to sea from any place in the United States, cause such appren-

tice to appear before the shipping commissioner before whom the crew is engaged, and shall produce to him the indenture by which such apprentice is bound, and the assignment or assignments thereof, if any; and the name of the apprentice, with the date of the indenture and of the assignment or assignments thereof, if any, shall be entered on the agreement; * * * and no such assignment shall be made without the approval of a commissioner, of the apprentice, and of his parents or his guardian. For any violation of this section, the master shall be liable to a penalty of not more than one hundred dollars.

SECTION 4511. The master of every vessel bound from a port in the United States to any foreign port other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the Republic of Mexico, or of any vessel of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman whom he carries to sea as one of the crew, in the manner hereinafter mentioned; and every such agreement * * * shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars:

First. The nature and, as far as practicable, the duration of the intended voyage or engagement, and the port or country at which the voyage is to terminate.

Second. The number and description of the crew, specifying their respective employments.

Third. The time at which each seaman is to be on board, to begin work.

Fourth. The capacity in which each seaman is to serve.

Fifth. The amount of wages each seaman is to receive.

Sixth. A scale of the provisions which are to be furnished to each seaman.

Seventh. Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress as proper to be adopted, and which the parties agree to adopt.

Eighth. Any stipulations in reference to advance and allotment of wages, or other matters not contrary to law.

SECTION 4512. The following rules shall be observed with respect to agreements:

First. Every agreement, except such as are otherwise specially provided for, shall be signed by each seaman in the presence of a shipping commissioner.

Second. When the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the shipping commissioner, and the other part shall contain a special place or form for the description and signatures of persons engaged subsequently to the first departure of the ship, and shall be delivered to the master.

Third. Every agreement entered into before a shipping commissioner shall be acknowledged and certified under the hand and official seal of such commissioner. The certificate of acknowledgment shall be endorsed on or annexed to the agreement: * * *.

SECTION 4513, (as amended by paragraph 160, page 277, supplement of 1891). Section forty-five hundred and eleven shall not apply to masters of vessels where the seamen are by custom or agreement entitled to participate in the profits or result of a cruise or voyage, nor to masters of coastwise nor to masters of lake going vessels that touch at foreign ports; but seamen may, by agreement, serve on board such vessels a definite time, or, on the return of any vessel to a port in the United States, may reship and sail in the same vessel on another voyage, without the payment of additional fees to the shipping commissioner, by either the seamen or the master.

SECTION 4514. If any person shall be carried to sea, as one of the crew on board of any vessel making a voyage as hereinbefore specified, without entering into an agreement with the master of such vessel, in the form and manner, and at the place and times in such cases required, the vessel shall be held liable for each such offense to a penalty of not more than two hundred dollars. But the vessel shall not be held liable for any person carried to sea, who shall have secretly stowed away himself without the knowledge of the master, mate, or of any of the officers of the vessel, or who shall have falsely personated himself to the master, mate, or officers of the vessel, for the purpose of being carried to sea.

SECTION 4515. If any master, mate, or other officer of a vessel knowingly receives, or accepts, to be entered on board of any merchant vessel, any seaman who has been engaged or supplied contrary to the provisions of this title, the

vessel on board of which such seaman shall be found shall, for every such seaman, be liable to a penalty of not more than two hundred dollars.

SECTION 4517. Every master of a merchant-vessel who engages any seaman at a place out of the United States, in which there is a consular officer or commercial agent, shall, before carrying such seamen to sea, procure the sanction of such officer, and shall engage seamen in his presence; and the rules governing the engagement of seamen before a shipping commissioner in the United States, shall apply to such engagements made before a consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall indorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise duly made.

SECTION 4518. Every master who engages any seaman in any place in which there is a consular officer or commercial agent, otherwise than as required by the preceding section, shall incur a penalty of not more than one hundred dollars, for which penalty the vessel shall be held liable.

SECTION 4519. The master shall, at the commencement of every voyage or engagement, cause a legible copy of the agreement, omitting signatures, to be placed or posted up in such part of the vessel as to be accessible to the crew; and on default shall be liable to a penalty of not more than one hundred dollars.

SECTION 4520. Every master of any vessel of the burden of fifty tons or upward, bound from a port in one state to a port in any other than an adjoining state, except vessels of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement in writing or in print, with every seaman on board such vessel except such as shall be apprentice or servant to himself or owners, declaring the voyage or term of time for which such seaman shall be shipped.

SECTION 4521. If any master of such vessel of the burden of fifty tons or upward shall carry out any seaman or mariner, except apprentices or servants, without such contract or agreement being first made and signed by the seamen, such master shall pay to every such seaman the highest price or wages which shall have been given at the port or place where such seaman was shipped, for a similar voyage, within three months next before the time of such shipping, if such seaman shall perform such voyage; or if not, then for such time as he shall continue to do duty on board such vessel; and shall moreover be liable to a penalty of twenty dollars for every such seaman, recoverable, one-half to the use of the person prosecuting for the same, and the other half to the use of the United States. Any seaman who has not signed such a contract shall not be bound by the regulations nor subject to the penalties and forfeitures contained in this title.

SECTION 4522, (as amended by paragraph 161, page 277, supplement of 1881). At the foot of every such contract to ship upon such a vessel of the burden of fifty tons or upward, there shall be a memorandum in writing of the day and the hour on which the seamen who ship and subscribe shall render themselves on board to begin the voyage agreed upon. If any such seaman shall neglect to render himself on board the vessel, for which he has shipped, at the time mentioned in such memorandum, and if the master of the vessel shall, on the day on which such neglect happened, make an entry in the log-book of such vessel, of the name of such seaman, and shall in like manner note the time that he so neglected to so render himself, after the time appointed, every such seaman shall forfeit for every hour which he shall so neglect to render himself, one day's pay, according to the rate of wages agreed upon, to be deducted out of his wages. If any such seaman shall wholly neglect to render himself on board of such vessel, or having rendered himself on board, shall afterward desert and escape, so that the vessel proceed to sea without him, he shall be liable to pay to the master, owner, or consignee of the vessel, a sum equal to that paid to him by advance at the time of signing the contract, over and besides the sum so advanced, both which sums shall be recoverable in any court, or before any justice of any state, city, town, or county within the United States, which, by the laws thereof, have cognizance of debts of equal value, against such seaman or mariner, or his surety or sureties, in case he shall have given surety to proceed on the voyage.

SECTION 4523. All shipments of seamen made contrary to the provisions of any act of Congress shall be void; and any seaman so shipped may leave the service at any time and shall be entitled to recover the highest rate of wages of the port from which the seaman was shipped, or the sum agreed to be given him at his shipment.

SECTION 4524. A seaman's right to wages and provisions shall be taken to commence either at the time at which he commences work, or at the time speci-

fied in the agreement for his commencement of work or presence on board, whichever first happens.

SECTION 4525. No right to wages shall be dependent on the earning of freight by the vessel; but every seaman or apprentice who would be entitled to demand and receive any wages if the vessel on which he has served had earned freight, shall, subject to all other rules of law and conditions applicable to the case, be entitled to claim and recover the same of the master or owner *in personam*, notwithstanding that freight has not been earned. But in all cases of wreck or loss of vessel, proof that any seaman or apprentice has not exerted himself to the utmost to save the vessel, cargo, and stores, shall bar his claim.

SECTION 4526. In cases where the service of any seaman terminates before the period contemplated in the agreement, by reason of the wreck or loss of the vessel, such seaman shall be entitled to wages for the time of service prior to such termination, but not for any further period.

SECTION 4527. Any seaman who has signed an agreement and is afterward discharged before the commencement of the voyage or before one month's wages are earned, without fault on his part justifying such discharge, and without his consent, shall be entitled to receive from the master or owner, in addition to any wages he may have earned, a sum equal in amount to one month's wages as compensation, and may, on adducing evidence satisfactory to the court hearing the case, of having been improperly discharged, recover such compensation as if it were wages duly earned.

SECTION 4528. No seaman or apprentice shall be entitled to wages for any period during which he unlawfully refuses or neglects to work when required, after the time fixed by the agreement for him to begin work, nor, unless the court hearing the case otherwise directs, for any period during which he is lawfully imprisoned for any offense committed by him.

SECTION 4529. The master or owner of every vessel making voyages from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall pay to every seaman his wages, within two days after the termination of the agreement, or at the time such seaman is discharged, whichever first happens; and, in the case of vessels making foreign voyages, within three days after the cargo has been delivered, or within five days after the seaman's discharge, whichever first happens; and in all cases the seaman shall, at the time of his discharge, be entitled to be paid, on account, a sum equal to one-fourth part of the balance due to him. Every master or owner who neglects or refuses to make payment in manner hereinbefore mentioned, without sufficient cause, shall pay to the seaman a sum not exceeding the amount of two days' pay for each of the days, not exceeding ten days, during which payment is delayed beyond the respective periods; which sum shall be recoverable as wages in any claim made before the court. But this section shall not apply to the masters or owners of any vessel the seamen on which are entitled to share in the profits of the cruise or voyage.

SECTION 4530. Every seaman shall be entitled to receive from the master of the vessel to which he belongs, one-third part of the wages which shall be due to him at every port where such vessel shall unlade and deliver her cargo before the voyage is ended, unless the contrary be expressly stipulated in the contract; and as soon as the voyage is ended, and the cargo or ballast is fully discharged at the last port of delivery, he shall be entitled to the wages which shall be then due.

SECTION 4531. All stipulations for the allotment of any part of the wages of a seaman, during his absence, which are made at the commencement of the voyage shall be inserted in the agreement, and shall state the amounts and times of the payments to be made, and the persons to whom such payments are to be made.

SECTION 4532. No advance of wages shall be made, or advance security given to any person, but to the seaman himself, or to his wife or mother; and no advance of wages shall be made, or advance security given, unless the agreement contains a stipulation for the same, and an accurate statement of the amount thereof; and no advance wages or advance security shall be given to any seaman except in the presence of the shipping commissioner.

SECTION 4533. If any advance of wages is made or advance security given to any seaman in any such manner as to constitute a breach of any of the provisions of the two preceding sections, the wages of such seaman shall be recoverable by him, as if no such advance had been made or promised; and in the case of any advanced security so given, no person shall be sued thereon, unless he was a party to such breach.

SECTION 4534. Whenever any advance security is discounted for any seaman, such seaman shall sign or set his mark to a receipt indorsed on the security, stating the sum actually paid or accounted for to him by the person discounting the same; and if the seaman sails in the vessel from the port of departure mentioned

in the security, and is then duly earning his wages, or is previously discharged with the consent of the master, but not otherwise, the person discounting the security may, ten days after the final departure of the vessel from the port of departure mentioned in the security, sue for and recover the amount promised by the security, with costs, either from the owner or from any agent who has drawn or authorized the drawing of the security; and in any such proceeding it shall be sufficient for such person to prove that the security was given by the owner or master, or some other authorized agent, and that the same was discounted to and receipted by the seaman; and the seaman shall be presumed to have sailed in the vessel from such port, and to be duly earning his wages, unless the contrary is proved.

SECTION 4535. No seaman shall, by any agreement other than is provided by this title, forfeit his lien upon the ship, or be deprived of any remedy for the recovery of his wages to which he would otherwise have been entitled; and every stipulation in any agreement inconsistent with any provision of this title, and every stipulation by which any seaman consents to abandon his right to his wages in case of the loss of the ship, or to abandon any right which he may have or obtain in the nature of salvage, shall be wholly inoperative.

SECTION 4536. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court; and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages, or of any attachment, incumbrance, or arrestment thereon; and no assignment or sale of wages, or of salvage, made prior to the accruing thereof, shall bind the party making the same, except such advance securities as are authorized by this title.

SECTION 4537. No sum exceeding one dollar shall be recoverable from any seaman, by any one person, for any debt contracted during the time such seaman shall actually belong to any vessel, until the voyage for which such seaman was engaged shall be ended.

SECTION 4546. Whenever the wages of any seaman are not paid within ten days after the time when the same ought to be paid according to the provisions of this title, or any dispute arises between the master and seamen touching wages, the district judge for the judicial district where the vessel is, or in case his residence be more than three miles from the place, or he be absent from the place of his residence, then, any judge or justice of the peace, or any commissioner of a circuit court, may summon the master of such vessel to appear before him, to show cause why process should not issue against such vessel, her tackle, apparel, and furniture, according to the course of admiralty courts, to answer for the wages.

SECTION 4548. Moneys paid under the laws of the United States, by direction of consular officers or agents, at any foreign port or place, as wages, extra or otherwise, due American seamen, shall be paid in gold or its equivalent, without any deduction whatever, any contract to the contrary notwithstanding.

SECTION 4549. All seamen discharged in the United States from merchant vessels engaged in voyages from a port in the United States to any foreign port, or, being of the burden of seventy-five tons or upward, from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall be discharged and receive their wages in the presence of a duly authorized shipping commissioner under this title, except in cases where some competent court otherwise directs; and any master or owner of any such vessel who discharges any such seaman belonging thereto, or pays his wages within the United States in any other manner, shall be liable to a penalty of not more than fifty dollars.

SECTION 4556. If the mate or first officer under the master, and a majority of the crew of any vessel, bound on a voyage to any foreign port, shall, after the voyage is begun, and before the vessel shall have left the land, discover that the vessel is too leaky, or is otherwise unfit in her crew, body, tackle, apparel, furniture, provisions, or stores, to proceed on the intended voyage, and shall require such unfitness to be inquired into, the master shall, upon the request of the mate or other officer and such majority, forthwith proceed to or stop at the nearest or most convenient port or place where such inquiry can be made, and shall there apply to the judge of the district court of that judicial district, if he shall there reside, or if not, to some justice of the peace of the city, town, or place, taking with him two or more of the crew who shall have made such request.

SECTION 4557. The judge or justice shall, upon such application of the master or commander, issue his precept directed to three persons in the neighborhood, the most skillful in maritime affairs that can be procured, requiring them to repair on board such vessel, and to examine the same in respect to the defects and insufficiencies complained of, and to make report to him, the judge or justice, as the case may be, in writing under their hands, or the hands of two of

them, whether in any or in what respect the vessel is unfit to proceed on the intended voyage, and what addition of men, provisions, or stores, or what repairs or alterations in the body, tackle, or apparel will be necessary; and upon such report the judge or justice shall adjudge, and shall endorse on the report his judgment, whether the vessel is fit to proceed on the intended voyage; and if not, whether such repairs can be made or deficiencies supplied where the vessel then lies, or whether it is necessary for her to return to the port from whence she first sailed, to be there refitted; and the master and crew shall in all things conform to the judgment. The master or commander shall, in the first instance, pay all the costs of such view, report, and judgment, to be taxed and allowed on a fair copy thereof, certified by the judge or justice. But if the complaint of the crew shall appear, upon the report and judgment, to have been without foundation, the master or commander, or the owner or consignee of such vessel, shall deduct the amount thereof, and of reasonable damages for the detention, to be ascertained by the judge or justice, out of the wages growing due to the complaining seamen.

SECTION 4558. If after judgment that such vessel is fit to proceed on her intended voyage, or after procuring such men, provisions, stores, repairs, or alterations as may be directed, the seamen, or either of them, shall refuse to proceed on the voyage, it shall be lawful for any justice of the peace to commit, by warrant under his hand and seal, every such seaman who refuses to the common jail of the county, there to remain without bail or mainprise until he has paid double the sum advanced to him at the time of subscribing the contract for the voyage, together with such reasonable costs as are allowed by the justice, and inserted in the warrant; and the sureties of such seaman, in case he has given any, shall remain liable for such payment; nor shall any such seaman be discharged upon any writ of habeas corpus or otherwise, for want of any form of commitment, or other previous proceedings, until such sum is paid by him or his surety, if sufficient matter be made to appear, upon the return of such habeas corpus, and an examination then had, to detain him for the causes hereinbefore assigned.

SECTION 4559. Upon a complaint in writing, signed by the first, or the second and third officers and a majority of the crew, of any vessel while in a foreign port, that such vessel is in an unsuitable condition to go to sea, because she is leaky, or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not, or have not been, during the voyage, sufficient and wholesome, thereupon, in any of these or like cases, the consul or a commercial agent who may discharge any duties of a consul, shall appoint two disinterested, competent, practical men, acquainted with maritime affairs, to examine into the causes of complaint, who shall, in their report, state what defects and deficiencies, if any, they find to be well founded, as well as what, in their judgment, ought to be done to put the vessel in order for the continuance of her voyage.

SECTION 4560. The inspectors appointed by any consul or commercial agent, in pursuance of the preceding section, shall have full power to examine the vessel and whatever is aboard of her, so far as is pertinent to their inquiry, and also to hear and receive any other proofs which the ends of justice may require: and if, upon a view of the whole proceedings, the consul or other commercial agent is satisfied therewith, he may approve the whole or any part of the report, and shall certify such approval; or if he dissents, he shall certify his reasons for dissenting.

SECTION 4561. The inspectors in their report shall also state whether, in their opinion, the vessel was sent to sea unsuitably provided in any important or essential particular, by neglect or design, or through mistake or accident, and in case it was by neglect or design, and the consul or other commercial agent approves of such finding, he shall discharge such of the crew as require it, each of whom shall be entitled to three months' pay in addition to his wages to the time of discharge; but if, in the opinion of the inspectors, the defects or deficiencies found to exist have been the result of mistake or accident, and could not, in the exercise of ordinary care, have been known and provided against before the sailing of the vessel, and the master shall, in a reasonable time, remove or remedy the causes of complaint, then the crew shall remain and discharge their duty; otherwise they shall, upon their request, be discharged, and receive each one month's wages in addition to their pay up to the time of discharge.

SECTION 4562. The master shall pay all such reasonable charges for inspection under such complaint as shall be officially certified to him under the hand of the consul or commercial agent; but in case the inspectors report that the complaint is without any good and sufficient cause, the master may retain from the wages of the complainants, in proportion to the pay of each, the amount of

such charges, with such reasonable damages for detention on that account as the consul or commercial agent directing the inquiry may officially certify.

SECTION 4563. Every master who refuses to pay such wages * * * shall be liable to each person injured thereby in damages, to be recovered in any court of the United States in the district where such delinquent may reside or be found, and in addition thereto be punishable by a fine of one hundred dollars for each offense.

SECTION 4564. Every vessel belonging to a citizen of the United States, bound on a voyage across the Atlantic ocean, shall, at the time of leaving the last port from whence she sails, have on board, well secured under deck, at least sixty gallons of water, one hundred pounds of salted flesh meat, and one hundred pounds of wholesome ship-bread, for every person on board such vessel, besides such other provisions, stores, and live stock as shall by the master or passengers be put on board, and in like proportion for shorter or longer voyages.

SECTION 4565. Any three or more of the crew of any merchant vessel of the United States bound from a port in the United States to any foreign port, or being of the burden of seventy-five tons or upward, and bound from a port on the Atlantic to a port on the Pacific, or *vice versa*, may complain to any officer in command of any of the vessels of the United States navy, or consular officer of the United States, or shipping commissioner, or chief officer of the customs, that the provisions or water for the use of the crew are, at any time, of bad quality, unfit for use, or deficient in quantity. Such officer shall thereupon examine the provisions or water, or cause them to be examined; and if, on examination, such provisions or water are found to be of bad quality and unfit for use, or to be deficient in quantity, the person making such examination shall certify the same in writing to the master of the ship. If such master does not thereupon provide other proper provisions or water, where the same can be had, in lieu of any so certified to be of a bad quality and unfit for use, or does not procure the requisite quantity of any so certified to be insufficient in quantity, or uses any provisions or water which have been so certified as aforesaid to be of bad quality and unfit for use, he shall, in every such case, be liable to a penalty of not more than one hundred dollars; and upon every such examination the officers making or directing the same shall enter a statement of the result of the examination in the log-book, and shall send a report thereof to the district judge for the judicial district embracing the port to which such vessel is bound; and such report shall be received in evidence in any legal proceedings.

SECTION 4566. If the officer to whom any such complaint, in regard to the provisions or the water, is made, certifies in such statement that there was no reasonable ground for such complaint, each of the parties so complaining shall be liable to forfeit to the master or owner, out of his wages, a sum not exceeding one week's wages.

SECTION 4567. If any seamen, while on board any vessel, shall state to the master that they desire to make complaint, in accordance with the two preceding sections, in regard to the provisions or the water, to a competent officer, against the master, the master shall, if the vessel is then at a place where there is any such officer, so soon as the service of the vessel will permit, and if the vessel is not then at such a place, so soon after her first arrival at such place as the service of the vessel will permit, allow such seamen, or any of them, to go ashore, or shall send them ashore, in proper custody, so that they may be enabled to make such complaint; and shall, in default, be liable to a penalty of not more than one hundred dollars.

SECTION 4568. If, during a voyage, the allowance of any of the provisions which any seaman has, by his agreement, stipulated for, is reduced, except in accordance with any regulations for reduction by way of punishment, contained in the agreement, and also for any time during which such seaman wilfully, and without sufficient cause, refuses or neglects to perform his duty, or is lawfully under confinement for misconduct, either on board or on shore; or if it is shown that any of such provisions are, or have been during the voyage, bad in quality and unfit for use, the seaman shall receive by way of compensation for such reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to and to be recoverable as wages:

First. If his allowance is reduced by any quantity not exceeding one-third of the quantity specified in the agreement, a sum not exceeding fifty cents a day.

Second. If his allowance is reduced by more than one-third of such quantity, a sum not exceeding one dollar a day.

Third. In respect of bad quality, a sum not exceeding one dollar a day.

But if it is shown to the satisfaction of the court before which the case is tried, that any provisions, the allowance of which has been reduced, could not

be procured or supplied in sufficient quantities, or were unavoidably injured or lost, and that proper and equivalent substitutes were supplied in lieu thereof, in a reasonable time, the court shall take such circumstances into consideration, and shall modify or refuse compensation, as the justice of the case may require.

SECTION 4569. Every vessel belonging to a citizen of the United States, bound from a port in the United States to any foreign port, or being of the burden of seventy-five tons or upward, and bound from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall be provided with a chest of medicines; and every sailing-vessel bound on a voyage across the Atlantic or Pacific ocean, or around cape Horn, or the cape of Good Hope, or engaged in the whale or other fisheries, or in sealing, shall also be provided with, and cause to be kept, a sufficient quantity of lime or lemon juice, and also sugar and vinegar, or other anti-scorbutics, to be served out to every seaman as follows: The master of every such vessel shall serve the lime or lemon juice, and sugar and vinegar, to the crew, within ten days after salt provisions mainly have been served out to the crew, and so long afterward as such consumption of salt provisions continues; the lime and lemon juice and sugar daily at the rate of half an ounce each per day: and the vinegar weekly, at the rate of half a pint per week for each member of the crew.

SECTION 4570. If, on any such vessel, such medicines, medical stores, lime or lemon juice, or other articles, sugar, and vinegar, as are required by the preceding section, are not provided and kept on board, as required, the master or owner shall be liable to a penalty of not more than five hundred dollars; and if the master of any such vessel neglects to serve out the lime or lemon juice, and sugar and vinegar in the case and manner directed, he shall for each such offense be liable to a penalty of not more than one hundred dollars; and if any master is convicted in either of the offenses mentioned in this section, and it appears that the offense is owing to the act or default of the owner, such master may recover the amount of such penalty, and the costs incurred by him, from the owner.

SECTION 4571. Every master shall keep on board proper weights and measures for the purpose of determining the quantities of the several provisions and articles served out, and shall allow the same to be used at the time of serving out such provisions and articles, in the presence of a witness, whenever any dispute arises about such quantities, and in default shall, for every offense, be liable to a penalty of not more than fifty dollars.

SECTION 4572. Every vessel bound on any foreign voyage shall also be provided with at least one suit of woolen clothing for each seaman, for use during the winter months; and every such vessel shall be provided with fuel and a safe and suitable room in which a fire can be kept for the use of seamen.

SECTION 4577. It shall be the duty of the consuls, vice consuls, commercial agents, and vice commercial agents, from time to time, to provide for the seamen of the United States, who may be found destitute within their districts, respectively, sufficient subsistence and passages to some port in the United States, in the most reasonable manner, at the expense of the United States, subject to such instructions as the secretary of state shall give. The seamen shall, if able, be bound to do duty on board the vessels in which they may be transported, according to their several abilities.

SECTION 4578, (as amended by chapter 121, acts of 1883-'84). All masters of vessels of the United States, and bound to some port of the same, are required to take such destitute seamen on board their vessels, at the request of consular officers, and to transport them to the port in the United States to which such vessel may be bound, on such terms, not exceeding ten dollars for each person for voyages of not more than thirty days, and not exceeding twenty dollars for each person for longer voyages, as may be agreed between the master and the consular officer; and said consular officer shall issue certificates for such transportation, which certificates shall be assignable for collection. If any such destitute seaman is so disabled or ill as to be unable to perform duty, the consular officer shall so certify in the certificate of transportation, and such additional compensation shall be paid as the first comptroller of the treasury shall deem proper. Every such master who refuses to receive and transport such seaman on the request or order of such consular officer shall be liable to the United States in a penalty of one hundred dollars for each seaman so refused. The certificate of any such consular officer, given under his hand and official seal, shall be presumptive evidence of such refusal in any court of law having jurisdiction for the recovery of the penalty. No master of any vessel shall, however, be obliged to take a greater number than one man to every one hundred tons burden of the vessel on any one voyage.

SECTION 4579. Whenever distressed seamen of the United States are transported from foreign ports where there is no consular officer of the United States, to parts of the United States, there shall be allowed to the master or owner of each vessel, in which they are transported, such reasonable compensation, in addition to the allowance now fixed by law, as shall be deemed equitable by the first comptroller of the treasury.

SECTION 4580, (as amended by chapter 121, acts of 1883-'84). Upon the application of the master of any vessel to a consular officer to discharge a seaman, or upon the application of any seaman for his own discharge, if it appears to such officer that said seaman has completed his shipping agreement, or is entitled to his discharge under any act of Congress or according to the general principles or usages of maritime law as recognized in the United States, such officer shall discharge said seaman, and require from the master of said vessel, before such discharge shall be made, payment of the wages which may be then due said seaman; but no payment of extra wages shall be required by any consular officer upon such discharge of any seaman except as provided in this act.

SECTION 4581, (as amended by chapter 121, acts of 1883-'84). If any consular officer, when discharging any seaman, shall neglect to require the payment of and collect the arrears of wages and extra wages required to be paid in the case of the discharge of any seaman, he shall be accountable to the United States to the full amount thereof. If any seaman, after his discharge, shall have incurred any expense for board or other necessaries at the place of his discharge, before shipping again, or for transportation to the United States, such expense shall be paid out of the arrears of wages and extra wages received by the consular officer, which shall be retained for that purpose and the balance only paid over to such seamen.

SECTION 4582, (as amended by chapter 121, acts of 1883-'84). Whenever a vessel of the United States is sold in a foreign country, and her company discharged, it shall be the duty of the master to produce to the consular officer the certified list of his ship's company, and also the shipping articles, and to pay to said consular officer for every seaman so discharged one month's wages over and above the wages which may then be due to such seaman; but in case the master of the vessel so sold shall, with the assent of said seaman, provide him with adequate employment on board some other vessel bound to the port at which he was originally shipped, or to such other port as may be agreed upon by him, then no payment of extra wages shall be required.

SECTION 4583, (as amended by chapter 121, acts of 1883-'84). Whenever on the discharge of a seaman in a foreign country, on his complaint that the voyage is continued contrary to agreement, the consular officer shall be satisfied that such voyage has been designedly and unnecessarily prolonged in violation of the articles of shipment, or whenever a seaman is discharged by a consular officer in consequence of any hurt or injury received in the service of the vessel, such consular officer shall require the payment by the master of one month's wages for such seaman over and above the wages due at the time of discharge.

SECTION 4584. Whenever any consular officer upon the discharge of any seaman demands or receives extra three month's wages for such seaman, two-thirds thereof shall be paid by such officer to the seaman so discharged, upon his engagement on board of any vessel to return to the United States. The remaining third shall be retained for the purpose of creating a fund for the payment of the passages of seamen, citizens of the United States, who may be desirous of returning to the United States, and for the maintenance of American seamen who may be destitute, and may be in such foreign port; and the several sums retained for such fund shall be accounted for with the treasury every six months by the persons receiving the same.

[The following legislation on the subject of seamen was enacted in chapter 121, acts of 1883-'84.]

SECTION 10, (as amended by chapter 421, acts of 1885-'86). It shall be, and is hereby, made unlawful in any case to pay any seaman wages before leaving the port at which such seaman may be engaged in advance of the time when he has actually earned the same, or to pay such advance wages to any other person, or to pay any person, other than an officer authorized by act of Congress to collect fees for such service, any remuneration for the shipment of seamen. Any person paying such advance wages or such remuneration shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not less than four times the amount of the wages so advanced or remuneration so paid, and may be also imprisoned for a period not exceeding six months, at the discretion of the court. The payment of such advance wages or remuneration shall in no

case, except as herein provided, absolve the vessel, or the master or owner thereof, from full payment of wages after the same shall have been actually earned, and shall be no defense to a libel, suit, or action for the recovery of such wages: *Provided*, That this section shall not apply to whaling-vessels: *And provided further*, That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of all or any portion of the wages which he may earn to his wife, mother, or other relative, or to an original creditor in liquidation of any just debt for board or clothing which he may have contracted prior to engagement, not exceeding ten dollars per month for each month of the time usually required for the voyage for which the seaman has shipped, under such regulations as the secretary of the treasury may prescribe, but no allotment to any other person or corporation shall be lawful. And any person who shall falsely claim such relationship to any seaman in order to obtain wages so alloted shall, for every such offense, be punishable by a fine of not exceeding five hundred dollars, or imprisonment not exceeding six months, at the discretion of the court. This section shall apply as well to foreign vessels as to vessels of the United States; and any master, owner, consignee, or agent of any foreign vessel who has violated this section shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation.

SECTION 11. Every vessel mentioned in section forty-five hundred and sixty-nine of the Revised Statutes shall also be provided with a slop-chest, which shall contain a complement of clothing for the intended voyage for each seaman employed, including boots or shoes, hats or caps, under clothing and outer clothing, oiled clothing, and everything necessary for the wear of a seaman; also a full supply of tobacco and blankets. Any of the contents of the slop-chest shall be sold, from time to time, to any or every seaman applying therefor, for his own use, at a profit not exceeding ten per centum of the reasonable wholesale value of the same at the port at which the voyage commenced. And if any such vessel is not provided, before sailing, as herein required, the owner shall be liable to a penalty of not more than five hundred dollars. The provisions of this section shall not apply to vessels plying between the United States and the Dominion of Canada, Newfoundland, the Bermuda Islands, the Bahama Islands, the West Indies, Mexico and Central America.

TITLE 70.—*Protection of employés as voters.*

SECTION 5506. Every person who, by any unlawful means, hinders, delays, prevents, or obstructs, or combines and confederates with others to hinder, delay, prevent, or obstruct, any citizen from doing any act required to be done to qualify him to vote, or from voting at any election in any state, territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be fined not less than five hundred dollars, or be imprisoned not less than one month nor more than one year, or be punished by both such fine and imprisonment.

SECTION 5507. Every person who prevents, hinders, controls, or intimidates another from exercising, or in exercising the right of suffrage, to whom that right is guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery or threats of depriving such person of employment or occupation, or of ejecting such person from a rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, shall be punished as provided in the preceding section.

SUPPLEMENT OF 1881.

CHAPTER 464.—*Involuntary servitude of foreigners.*

(Page 103.)

SECTION 1. Whoever shall knowingly and wilfully bring into the United States, or the territories thereof, any person inveigled or forcibly kidnapped in any other country, with intent to hold such person so inveigled or kidnapped in confinement or to any involuntary service, and whoever shall knowingly and wilfully sell, or cause to be sold, into any condition of involuntary servitude, any other person for any term whatever, and every person who shall knowingly and wilfully hold to involuntary service any person so sold and bought, shall be deemed guilty of a felony.

and, on conviction thereof be imprisoned for a term not exceeding five years and pay a fine not exceeding five thousand dollars.

SECTION 2. Every person who shall be accessory to any of the felonies herein declared, either before or after the fact, shall be deemed guilty of a felony, and on conviction thereof be imprisoned for a term not exceeding five years and pay a fine not exceeding one thousand dollars.

CHAPTER 246.—*Skilled men only to be employed by government printer.*

(Page 233.)

PARAGRAPH I. It shall be the duty of the public printer to employ no workmen not thoroughly skilled in their respective branches of industry, as shown by a trial of their skill under his direction;

ACTS OF 1884–'85.

CHAPTER 164.—*Alien contract labor.*

SECTION 1. From and after the passage of this act it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation, or in any way assist or encourage the importation or migration of any alien or aliens, any foreigner or foreigners, into the United States, its territories, or the District of Columbia, under contract or agreement, parol or special, express or implied, made previous to the importation or migration of such alien or aliens, foreigner or foreigners, to perform labor or service of any kind in the United States, its territories, or the District of Columbia.

SECTION 2. All contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.

SECTION 3. For every violation of any of the provisions of section one of this act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging or soliciting the migration or importation of any alien or aliens, foreigner or foreigners, into the United States, its territories, or the District of Columbia, to perform labor or service of any kind under contract or agreement, express or implied, parol or special, with such alien or aliens, foreigner or foreigners, previous to becoming residents or citizens of the United States, shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States or by any person who shall first bring his action therefor including any such alien or foreigner who may be a party to any such contract or agreement, as debts of like amount are now recovered in the circuit courts of the United States; the proceeds to be paid into the treasury of the United States; and separate suits may be brought for each alien or foreigner being a party to such contract or agreement aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit at the expense of the United States.

SECTION 4. The master of any vessel who shall knowingly bring within the United States on any such vessel, and land, or permit to be landed, from any foreign port or place, any alien laborer, mechanic, or artisan who, previous to embarkation on such vessel, had entered into contract or agreement, parol or special, express or implied, to perform labor or service in the United States, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than five hundred dollars for each and every such alien laborer, mechanic or artisan so brought as aforesaid, and may also be imprisoned for a term not exceeding six months.

SECTION 5, (as amended by chapter 551, acts of 1890–'91). Nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, either in private or official capacity, from engaging, under contract or otherwise, persons not residents or citizens of the United States to act as private secretaries, servants or domestics for such foreigner temporarily residing in the United States as aforesaid; nor shall this

act be so construed as to prevent any person, or persons, partnership, or corporation from engaging, under contract or agreement, skilled workman in foreign countries to perform labor in the United States in or upon any new industry not at present established in the United States: *Provided*, That skilled labor for that purpose can not otherwise be obtained; nor shall the provisions of this act apply to professional actors, artists, lecturers, or singers, nor to persons employed strictly as personal or domestic servants: *Provided*, That nothing in this act shall be construed as prohibiting any individual from assisting any member of his family to migrate from any foreign country to the United States, for the purpose of settlement here, nor to ministers of any religious denomination, nor persons belonging to any recognized profession, nor professors for colleges and seminaries.

SECTION 6, (added by chapter 220, acts of 1886–'87). The secretary of the treasury is hereby charged with the duty of executing the provisions of this act, and for that purpose he shall have power to enter into contracts with such state commission, board, or officers as may be designated for that purpose by the governor of any state to take charge of the local affairs of immigration in the ports within said state, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such state commission, board, or officers so designated to examine into the condition of passengers arriving at the ports within such state in any ship or vessel, and for that purpose all or any of such commissioners or officers, or such other person or persons as they shall appoint, shall be authorized to go on board of and through any such ship or vessel: and if in such examination there shall be found among such passengers any person included in the prohibition in this act, they shall report the same in writing to the collector of such port, and such persons shall not be permitted to land.

SECTION 7, (added by chapter 220, acts of 1886–'87). The secretary of the treasury shall establish such regulations and rules, and issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

SECTION 8, (added by chapter 220, acts of 1886–'87). All persons included in the prohibition in this act, upon arrival, shall be sent back to the nations to which they belong and from whence they come. The secretary of the treasury may designate the state board of charities of any state in which such board shall exist by law, or any commission in any state, or any person or persons in any state, whose duty it shall be to execute the provisions of this section and shall be entitled to reasonable compensation therefor to be fixed by regulation prescribed by the secretary of the treasury. The secretary of the treasury shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came, and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the time of procedure in respect thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessels in which they came. And any vessel refusing to pay such expenses shall not thereafter be permitted to land at or clear from any port of the United States. And such expenses shall be a lien on said vessel. That the necessary expense in the execution of this act for the present fiscal year, shall be paid out of any money in the Treasury not otherwise appropriated.

[The following amendments to the above legislation were made in chapter 1210, acts of 1887–'88.]

That the act approved February twenty-third, eighteen hundred and eighty-seven, entitled "An act to amend an act to prohibit the importation and immigration of foreigners and aliens under contract and agreement to perform labor in the United States, its territories, or the District of Columbia," [chapter 220, acts of 1886–'87] be, and the same is hereby, so amended as to authorize the secretary of the treasury, in case he shall be satisfied that an immigrant has been allowed to land contrary to the prohibition of that law, to cause such immigrant within the period of one year after landing or entry, to be taken into custody and returned to the country from whence he came, at the expense of the owner of the importing vessel, or, if he entered from an adjoining country, at the expense of the person previously contracting for the services.

That the act approved February twenty-sixth, eighteen hundred and eighty-five, entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its territories, and the District of Columbia," [chapter 164, acts of 1884–'85] be,

and the same is hereby, amended so as to authorize the secretary of the treasury to pay an informer who furnishes original information that the law has been violated such a share of the penalties recovered as he may deem reasonable and just, not exceeding fifty per centum, where it appears that the recovery was had in consequence of the information thus furnished.

Payment of per diem employés for holidays.

(Page 516.)

RESOLUTION NO. 5. The employés of the navy-yard, government printing office, bureau of printing and engraving, and all other per diem employés of the government, on duty at Washington, or elsewhere in the United States, shall be allowed the following holidays, to wit: The first day of January, the twenty-second day of February, the fourth day of July, the twenty fifth day of December, and such days as may be designated by the President as days for national thanksgiving, and shall receive the same pay as on other days.

ACTS OF 1885–'86.

CHAPTER 567.—*Incorporation of national trades unions.*

SECTION 1. The term "national trade union," in the meaning of this act, shall signify any association of working people having two or more branches in the states or territories of the United States for the purpose of aiding its members to become more skillful and efficient workers, the promotion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and conditions of labor, the protection of their individual rights in the prosecution of their trade or trades, the raising of funds for the benefit of sick, disabled, or unemployed members, or the families of deceased members, or for such other object or objects for which working people may lawfully combine, having in view their mutual protection or benefit.

SECTION 2. National trade unions shall, upon filing their articles of incorporation in the office of the recorder of the District of Columbia, become a corporation under the technical name by which said national trade union desires to be known to the trade; and shall have the right to sue and be sued, to implead and be impleaded, to grant and receive, in its corporate or technical name, property, real, personal, and mixed, and to use said property, and the proceeds and income thereof, for the objects of said corporation as in its charter defined: *Provided*, That each union may hold only so much real estate as may be required for the immediate purposes of its corporation.

SECTION 3. An incorporated national trade union shall have power to make and establish such constitution, rules and by-laws as it may deem proper to carry out its lawful objects, and the same to alter, amend, add to, or repeal at pleasure.

SECTION 4. An incorporated national trade union shall have power to define the duties and powers of all its officers, and prescribe their mode of election and term of office, to establish branches and sub-unions in any territory of the United States.

SECTION 5. The headquarters of an incorporated national trade union shall be located in the District of Columbia.

CHAPTER 572.—*Leaves of absence to employés of the government printing office.*

SECTION 1. The employés of the government printing office, whether employed by the piece or otherwise, be allowed a leave of absence, with pay, not exceeding fifteen days in any one fiscal year, after the service of one year and under such regulations and at such time as the public printer may designate. Such employés as are engaged on piecework shall receive the same rate of pay for the said fifteen days' leave as will be paid to day hands: *Provided*, That those regularly employed on the Congressional Record shall receive leave, with pay, at the close of each session, pro rata for the time of such employment.

[The above legislation was amended by chapter 722, acts of 1887–'88 as follows]

The act entitled "An act granting leave of absence to employés in the government printing office," approved June thirtieth, eighteen hundred and eighty-six, be so amended as to extend the annual leave of absence therein described to thirty days in each fiscal year: *Provided*, That it shall be lawful to allow pro rata leave to those serving fractional parts of a year.

ACTS OF 1886-'87.

CHAPTER 213.—*Labor of United States convicts—Contract system prohibited.*

SECTION 1. It shall not be lawful for any officer, agent, or servant of the government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any state prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail, or other place of incarceration for violation of any laws of the government of the United States of America.

SECTION 2. Any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned for a term not less than one year nor more than three years, at the discretion of the court, or shall be fined not less than five hundred dollars nor more than one thousand dollars for each offense.

Payment of per diem employés for holidays.

(Page 644.)

RESOLUTION NO. 6. All per diem employés of the government, on duty at Washington or elsewhere in the United States, shall be allowed the day of each year, which is celebrated as "Memorial" or "Decoration Day" and the Fourth of July of each year, as holiday, and shall receive the same pay as on other days.

ACTS OF 1887-'88.

CHAPTER 308.—*Hours of labor—Letter carriers.*

SECTION 1. Hereafter eight hours shall constitute a day's work for letter carriers in cities or postal districts connected therewith, for which they shall receive the same pay as is now paid as for a day's work of a greater number of hours. If any letter carrier is employed a greater number of hours per day than eight he shall be paid extra for the same in proportion to the salary now fixed by law.

CHAPTER 389.—*Department of labor.*

SECTION 1. There shall be at the seat of government a department of labor, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

SECTION 2. The department of labor shall be under the charge of a commissioner of labor, who shall be appointed by the President, by and with the advice and consent of the Senate; he shall hold his office for four years, unless sooner removed, * * * .

SECTION 7. The commissioner of labor, in accordance with the general design and duties referred to in section 1 of this act, is specially charged to ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of the manufacturers and producers of such articles; and the comparative cost of living, and the kind of living. * * * what articles are controlled by trusts, or other combinations of capital, business operations, or labor and what effect said trusts, or other combinations of capital, business operations, or labor have on production and prices. He shall also establish a system of reports by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country. The commissioner of labor is also specially

charged to investigate the causes of, and facts relating to, all controversies and disputes between employers and employés, as they may occur, and which may tend to interfere with the welfare of the people of the different states, and report thereon to Congress. The commissioner of labor shall also obtain such information upon the various subjects committed to him as he may deem desirable from different foreign nations, and what, if any, convict made goods are imported into this country, and if so from whence.

CHAPTER 1015.—*Exclusion of Chinese laborers.*

SECTION 1. From and after the date of the exchange of ratifications of the pending treaty between the United States of America and his imperial majesty the emperor of China, signed on the twelfth day of March, anno Domini eighteen hundred and eighty-eight, it shall be unlawful for any Chinese person, whether a subject of China or of any other power, to enter the United States, except as hereinafter provided.

SECTION 2. Chinese officials, teachers, students, merchants, or travelers for pleasure or curiosity, shall be permitted to enter the United States, but in order to entitle themselves to do so, they shall first obtain the permission of the Chinese government, or other government of which they may at the time be citizens or subjects. Such permission and also their personal identity shall in such case be evidenced by a certificate to be made out by the diplomatic representative of the United States in the country, or of the consular representative of the United States at the port or place from which the person named therein comes. The certificate shall contain a full description of such person, of his age, height, and general physical features, and shall state his former and present occupation or profession and place of residence, and shall be made out in duplicate. One copy shall be delivered open to the person named and described, and the other copy shall be sealed up and delivered by the diplomatic or consular officer as aforesaid to the captain of the vessel on which the person named in the certificate sets sail for the United States, together with the sealed certificate, which shall be addressed to the collector of customs of the port where such person is to land. There shall be delivered to the aforesaid captain a letter from the consular officer addressed to the collector of customs aforesaid, and stating that said consular officer has on a certain day delivered to the said captain a certificate of the right of the person named therein to enter the United States as a Chinese official, or other exempted person, as the case may be. And any captain who lands or attempts to land a Chinese person in the United States without having in his possession a sealed certificate, as is required in this section, shall be liable to the penalties prescribed in section nine of this act.

SECTION 3. The provisions of this act shall apply to all persons of the Chinese race, whether subjects of China or other foreign power, excepting Chinese diplomatic or consular officers and their attendants; and the words "Chinese laborers," whenever used in this act, shall be construed to mean both skilled and unskilled laborers and Chinese employed in mining.

SECTION 4. The master of any vessel arriving in the United States from any foreign port or place with any Chinese passengers on board shall, when he delivers his manifest of cargo, and if there be no cargo, when he makes legal entry of his vessel, and before landing or permitting to land any Chinese person (unless a diplomatic or consular officer, or attendant of such officer), deliver to the collector of customs of the district in which the vessel shall have arrived the sealed certificates and letters as aforesaid, and a separate list of all Chinese persons taken on board of his vessel at any foreign port or place, and of all such persons on board at the time of arrival as aforesaid. Such list shall show the names of such persons and other particulars as shown by their open certificates, or other evidences required by this act, and such list shall be sworn to by the master in the manner required by law in relation to the manifest of the cargo.

The master of any vessel as aforesaid shall not permit any Chinese diplomatic or consular officer or attendant of such officer to land without having been first informed by the collector of customs of the official character of such officer or attendant. Any refusal or wilful neglect of the master of any vessel to comply with the provisions of this section shall incur the same penalties and forfeitures as are provided for a refusal or neglect to report and deliver a manifest of the cargo.

SECTION 5. From and after the passage of this act, no Chinese laborer in the

United States shall be permitted, after having left, to return thereto, except under the conditions stated in the following sections.

SECTION 6. No Chinese laborer within the purview of the preceding section shall be permitted to return to the United States unless he has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or of debts of like amounts due him and pending settlement. The marriage to such wife must have taken place at least a year prior to the application of the laborer for a permit to return to the United States, and must have been followed by the continuous cohabitation of the parties as man and wife. If the right to return be claimed on the ground of property or of debts, it must appear that the property is bona fide and not colorably acquired for the purpose of evading this act, or that the debts are unascertained and unsettled, and not promissory notes or other similar acknowledgements of ascertained liability.

SECTION 7. * * * no Chinese person, except Chinese diplomatic or consular officers, and their attendants, shall be permitted to enter the United States except at the ports of San Francisco, Portland, Oregon, Boston, New York, New Orleans, Port Townsend, or such other ports as may be designated by the Secretary of the Treasury.

SECTION 9. The master of any vessel who shall knowingly bring within the United States on such vessel, and land, or attempt to land, or permit to be landed any Chinese laborer or other Chinese person, in contravention of the provisions of this act, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished with a fine of not less than five hundred dollars nor more than one thousand dollars, in the discretion of the court, for every Chinese laborer or other Chinese person so brought, and may also be imprisoned for a term of not less than one year, nor more than five years, in the discretion of the court.

SECTION 13. Any Chinese person or person of Chinese descent found unlawfully in the United States, or its territories, may be arrested upon a warrant issued upon a complaint, under oath, filed by any party on behalf of the United States, by any justice, judge, or commissioner of any United States court, returnable before any justice, judge, or commissioner of a United States court, or before any United States court, and when convicted, upon a hearing, and found and adjudged to be one not lawfully entitled to be or remain in the United States, such person shall be removed from the United States to the country whence he came. But any such Chinese person convicted before a commissioner of a United States court may, within ten days from such conviction, appeal to the judge of the district court for the district. A certified copy of the judgment shall be the process upon which said removal shall be made, and it may be executed by the marshal of the district, or any officer having authority of a marshal under the provisions of this section. And in all such cases the person who brought or aided in bringing such person into the United States shall be liable to the Government of the United States for all necessary expenses incurred in such investigation and removal; and all peace officers of the several states and territories of the United States are hereby invested with the same authority in reference to carrying out the provisions of this act, as a marshal or deputy marshal of the United States, and shall be entitled to like compensation, to be audited and paid by the same officers.

[The following additional legislation upon the subject of the exclusion of Chinese laborers was enacted in chapter 1064, acts of 1887–'88.]

SECTION 1. It shall be unlawful for any Chinese laborer who shall at any time heretofore have been, or who may now or hereafter be, a resident within the United States, and who shall have departed, or shall depart, therefrom, and shall not have returned before the passage of this act, to return to, or remain in, the United States.

SECTION 2. No certificates of identity provided for in the fourth and fifth sections of the act to which this is a supplement shall hereafter be issued; and every certificate heretofore issued in pursuance thereof, is hereby declared void and of no effect, and the Chinese laborer claiming admission by virtue thereof shall not be permitted to enter the United States.

SECTION 3. All the duties prescribed, liabilities penalties and forfeitures imposed, and the powers conferred by the second, * * * section of the act to which this is a supplement are hereby extended and made applicable to the provisions of this act.

SECTION 4. All such part or parts of the act to which this is a supplement as are inconsistent herewith are hereby repealed.

CHAPTER 1063.—*Boards of arbitration.*

SECTION 1. Whenever differences or controversies arise between railroad or other transportation companies engaged in the transportation of property or passengers between two or more states of the United States, between a territory and state, within the territories of the United States, or within the District of Columbia, and the employees of said railroad companies, which differences may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers, if, upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, then and in such event the railroad company is hereby authorized to select and appoint one person, and such employé or employés, as the case may be, to select and appoint another person, and the two persons thus selected and appointed to select a third person, all three of whom shall be citizens of the United States and wholly impartial and disinterested in respect to such differences or controversies; and the three persons thus selected and appointed shall be, and they are hereby, created and constituted a board of arbitration, with the duties, powers, and privileges hereinafter set forth.

SECTION 2. The board of arbitration provided for in the first section of this act shall possess all the powers and authority in respect to administering oaths, subpœnaing witnesses and compelling their attendance, preserving order during the sittings of the board, and requiring the production of papers and writings relating alone to the subject under investigation, now possessed and belonging to the United States commissioners appointed by the circuit court of the United States; but in no case shall any witness be compelled to disclose the secrets or produce the records or proceedings of any labor organization of which he may be an officer or member; and said board of arbitration may appoint a clerk and employ a stenographer, and prescribe all reasonable rules and regulations, not inconsistent with the provisions of this act, looking to the speedy advancement of the differences and controversies submitted to them to a conclusion and determination. Each of said arbitrators shall take an oath to honestly, fairly, and faithfully perform his duties, and that he is not personally interested in the subject-matter in controversy, which oath may be administered by any state or territorial officer authorized to administer oaths. The third person so selected and appointed as aforesaid shall be president of said board; any order, finding, conclusion or award made by a majority of such arbitrators shall be of the same force and effect as if all three of such arbitrators concurred therein or united in making the same.

SECTION 3. It shall be the duty of the said board of arbitration, immediately upon their selection, to organize at the nearest practicable point to the place of the origin of the difficulty or controversy, and to hear and determine the matters of difference which may be submitted to them in writing by all the parties, giving them full opportunity to be heard on oath, in person and by witnesses, and also granting them the right to be represented by counsel; and after concluding its investigation said board shall publicly announce its decision, which, with the findings of fact on which it is based, shall be reduced to writing and signed by the arbitrators concurring therein, and, together with the testimony taken in the case, shall be filed with the commissioner of labor of the United States, who shall make such decision public as soon as the same shall have been received by him.

SECTION 4. It shall be the right of any employés engaged in the controversy to appoint, by designation in writing, one or more persons to act for them in the selection of an arbitrator to represent them upon the board of arbitration.

SECTION 5. Each member of said tribunal of arbitration shall receive a compensation of ten dollars a day for the time actually employed. That the clerk appointed by said tribunal of arbitration shall receive the same fees and compensation as clerks of United States circuit courts and district courts receive for like services. The stenographer shall receive as full compensation for his services ten cents for each folio of an hundred words of testimony taken and reduced to writing before said arbitrators. United States marshals or other persons serving the process of said tribunal of arbitration shall receive the same fees and compensation for such services as they would receive for like services upon process issued by United States commissioners. Witnesses attending before said tribunal of arbitration shall receive the same fees as witnesses attending before United States commissioners. All of said fees and compensation shall be payable by the United States in like manner as fees and compensation are payable in criminal causes under existing laws: *Provided*, That

the said tribunal of arbitration shall have power to limit the number of witnesses in each case where fees shall be paid by the United States: *And provided further*, That the fees and compensation of the arbitrators, clerks, stenographers, marshals, and others for service of process, and witnesses under this act shall be examined and certified by the United States district judge of the district in which the arbitration is held before they are presented to the accounting officers of the treasury department for settlement, and shall be then subject to the provisions of section eight hundred and forty-six of the Revised Statutes of the United States; and a sufficient sum of money to pay all expenses under this act and to carry the same into effect is hereby appropriated out of any money in the treasury not otherwise appropriated: *And provided likewise*, Not more than five thousand dollars shall be expended in defraying the costs of any single investigation by the commission hereinafter provided for.

SECTION 6. The President may select two commissioners, one of whom at least shall be a resident of the state or territory in which the controversy arises, who, together with the commissioner of labor, shall constitute a temporary commission for the purpose of examining the causes of the controversy, the conditions accompanying, and the best means for adjusting it; the result of which examination shall be immediately reported to the President and Congress, and on the rendering of such report the services of the two commissioners shall cease. The services of the commission, to be ordered at the time by the President and constituted as herein provided, may be tendered by the President for the purpose of settling a controversy such as contemplated, either upon his own motion, or upon the application of one of the parties to the controversy, or upon the application of the executive of the state.

SECTION 7. The commissioners provided in the preceding section shall be entitled to receive ten dollars each per day for each day's service rendered, and the expenses absolutely incurred in the performance of their duties; and the expenses of the commissioner of labor, acting as one of the commission, shall also be reimbursed to him. Such compensation and expenses shall be paid by the treasurer of the United States, on proper vouchers, certified to by the commissioner of labor and approved by the secretary of the interior.

SECTION 8. Upon the direction of the President, as hereinbefore provided, the commission shall visit the locality of the pending dispute, and shall have all the powers and authority given in section 2, to a board of arbitration, and shall make careful inquiry into the cause thereof, hear all persons interested therein who may come before it, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust such dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept in the office of the commissioner of labor, who shall cause a copy thereof to be filed with the secretary of the state or territory, or states or territories, in which the controversy exists.

SECTION 9. In each case the commissioners who may be selected as provided shall, before entering upon their duties, be sworn to the faithful discharge thereof. The commissioner of labor shall be chairman ex-officio of the commission, and may appoint one or more clerks or stenographers to act in each controversy only, which clerks or stenographers shall be compensated at a rate not exceeding six dollars per day each, and actual expenses incurred shall be reimbursed.

SECTION 10. The commissioner of labor shall, as soon as possible after the passage of this act, establish such rules of procedure as shall be approved by the President; but the commission shall permit each party to a controversy to appear in person or by counsel, and to examine and cross-examine witnesses. All its proceedings shall be transacted in public, except when in consultation for the purpose of deciding upon the evidence and arguments laid before it. The chairman of the commission is hereby authorized to administer oaths to witnesses in all investigations conducted by the commission, and such witnesses shall be subpœnaed in the same manner as witnesses are subpœnaed to appear before United States courts and commissioners, and they shall each receive the same fees as witnesses attending before United States commissioners: *Provided*, That said temporary board of commissioners shall have the power to limit the number of witnesses in each case where fees shall be paid by the United States.

SECTION 11. All fees, expenses, and compensation of this commission shall be paid as hereinbefore provided in section five of this act.

ACTS OF 1890-'91.

CHAPTER 529.—*Convict labor in certain United States prisons to be erected.*

SECTION 1. The attorney-general and secretary of the interior be, and are hereby, authorized and directed to purchase three sites, two of which shall be located as follows: One north, the other south of the thirty-ninth degree of north latitude and east of the Rocky Mountains, the third site to be located west of the Rocky Mountains, and the same to be located geographically as to be most easy of access to the different portions of the country, and cause to be erected thereon suitable buildings for the confinement of all persons convicted of any crime whose term of imprisonment is one year or more at hard labor by any court of the United States in any state, territory, or district under the jurisdiction of the department of justice of the United States, * * * .

SECTION 2. The sum of one hundred thousand dollars is further appropriated, to be expended under the direction of the attorney-general, in the fitting of workshops for the employment of the prisoners: *Provided, however*, That the convicts be employed exclusively in the manufacture of such supplies for the government as can be manufactured without the use of machinery, and prisoners shall not be worked outside the prison enclosure.

CHAPTER 550.—*Wages of employés of government printing office for night work.*

SECTION 1. The pay of all the employés of the government printing office engaged on night work (between the hours of five o'clock post meridian and eight o'clock ante meridian) shall be twenty per centum in addition to the amount paid for day labor.

CHAPTER 551.—*Alien contract labor.*

SECTION 1. The following classes of aliens shall be excluded from admission into the United States, in accordance with the existing acts regulating immigration, other than those concerning Chinese laborers: All idiots, insane persons, paupers or persons likely to become a public charge, persons suffering from a loathsome or a dangerous contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, polygamists, and also any person whose ticket or passage is paid for with the money of another or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes, or to the class of contract laborers excluded by the act of February twenty-sixth, eighteen hundred and eighty-five, but this section shall not be held to exclude persons living in the United States from sending for a relative or friend who is not of the excluded classes under such regulations as the secretary of the treasury may prescribe: *Provided*, That nothing in this act shall be construed to apply to or exclude persons convicted of a political offense, notwithstanding said political offense may be designated as a "felony, crime, infamous crime, or misdemeanor, involving moral turpitude" by the laws of the land whence he came or by the court convicting.

SECTION 3. It shall be deemed a violation of [chapter 164, acts of 1884-'85] to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a contract as contemplated by such act; and the penalties by said act imposed shall be applicable in such a case: *Provided*, This section shall not apply to states and immigration bureaus of states advertising the inducements they offer for immigration to such states.

SECTION 4. No steamship or transportation company or owners of vessels shall directly, or through agents, either by writing, printing, or oral representations, solicit, invite or encourage the immigration of any alien into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and the terms and facilities of transportation therein; and for a violation of this provision any such steamship or transportation company, and any such owners of vessels, and the agents by them employed, shall be subjected to the penalties imposed by the third section of [chapter 164, acts of 1884-'85] for violations of the provisions of the first section of said act.

SECTION 6. Any person who shall bring into or land in the United States by vessel or otherwise, or who shall aid to bring into or land in the United States

by vessel or otherwise any alien not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

SECTION 7. The office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the treasury department, under the control and supervision of the secretary of the treasury, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports in writing as the secretary of the treasury shall require. The secretary shall provide the superintendent with a suitable furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk, at a salary of two thousand dollars per annum, and two first-class clerks.

SECTION 8. Upon the arrival by water at any place within the United States of any alien immigrants it shall be the duty of the commanding officer and the agents of the steam or sailing vessel by which they came to report the name, nationality, last residence, and destination of every such alien, before any of them are landed, to the proper inspection officers, who shall thereupon go or send competent assistants on board such vessel and there inspect all such aliens, or the inspection officers may order a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. But such removal shall not be considered a landing during the pendency of such examination. The medical examination shall be made by surgeons of the marine hospital service. In cases where the services of a marine hospital surgeon can not be obtained without causing unreasonable delay the inspector may cause an alien to be examined by a civil surgeon, and the secretary of the treasury shall fix the compensation for such examination. The inspection officers and their assistants shall have power to administer oaths, and to take and consider testimony touching the right of any such aliens to enter the United States, all of which shall be entered of record. During such inspection after temporary removal the superintendent shall cause such aliens to be properly housed, fed, and cared for, and also, in his discretion, such as are delayed in proceeding to their destination after inspection. All decisions made by the inspection officers or their assistants touching the right of any alien to land, when adverse to such right, shall be final unless appeal be taken to the superintendent of immigration, whose action shall be subject to review by the secretary of the treasury. It shall be the duty of the aforesaid officers and agents of such vessel to adopt due precautions to prevent the landing of any alien immigrant at any place or time other than that designated by the inspection officers, and any such officer or agent or person in charge of such vessel who shall either knowingly or negligently land or permit to land any alien immigrant at any place or time other than that designated by the inspection officers, shall be deemed guilty of a misdemeanor and punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment. The secretary of the treasury may prescribe rules for inspection along the borders of Canada, British Columbia, and Mexico so as not to obstruct or unnecessarily delay, impede, or annoy passengers in ordinary travel between said countries: *Provided*, That not exceeding one inspector shall be appointed for each customs district, and whose salary shall not exceed twelve hundred dollars per year. * * *

SECTION 10. All aliens who may unlawfully come to the United States shall, if practicable, be immediately sent back on the vessel by which they were brought in. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessel on which such aliens came; and if any master, agent, consignee, or owner of such vessel shall refuse to receive back on board the vessel such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the port from which they came, or to pay the cost of their maintenance while on land, such master, agent, consignee, or owner shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than three hundred dollars for each and every offense; and any such vessel shall not have clearance from any port of the United States while any such fine is unpaid.

SECTION 11. Any alien who shall come into the United States in violation of law may be returned as by law provided, at any time within one year there-

after, at the expense of the person or persons, vessel, transportation company, or corporation bringing such alien into the United States, and if that can not be done, then at the expense of the United States; and any alien who becomes a public charge within one year after his arrival in the United States from causes existing prior to his landing therein shall be deemed to have come in violation of law and shall be returned as aforesaid.

CHAPTER 564.—*Coal-mine regulations and inspection.*

SECTION 1. In each organized and unorganized territory of the United States wherein are located coal mines, the aggregate annual output of which shall be in excess of one thousand tons per annum, the President shall appoint a mine inspector, who shall hold office until his successor is appointed and qualified. Such inspector shall, before entering upon the discharge of his duties, give bond to the United States in the sum of two thousand dollars, conditioned for the faithful discharge of his duties.

SECTION 2. No person shall be eligible for appointment as mine inspector under section one of this act who, is not either a practical miner or mining engineer and who has not been a resident for at least six months in the territory for which he shall be appointed; and no person who shall act as land agent, manager, or agent of any mine, or as mining engineer, or be interested in operating any mine in such territory shall be at the same time an inspector under the provisions of this act.

SECTION 3. It shall be the duty of the mine inspector provided for in this act to make careful and thorough inspection of each coal mine operated in such Territory, and to report at least annually upon the condition of each coal mine in said territory with reference to the appliances for the safety of the miners, the number of air or ventilating shafts, the number of shafts or slopes for ingress and egress, the character and condition of the machinery for ventilating such mines, and the quantity of air supplied to same. Such reports shall be made to the governor of the territory in which such mines are located and a duplicate thereof forwarded to the secretary of the interior, and in the case of an unorganized territory directly to the secretary of the interior.

SECTION 4. In case the said mine inspector shall report that any coal mine is not properly constructed or not furnished with reasonable and proper machinery and appliances for the safety of the miners and other employés it shall be the duty of the governor of such organized territory it shall be the duty of the secretary of the interior to give notice to the owners or managers of said coal mine that the said mine is unsafe and notifying them in what particular the same is unsafe, and requiring them to furnish or provide such additional machinery, slopes, entries, means of escape, ventilation, or other appliances necessary to the safety of the miners and other employés within a period to be in said notice named, and if the same be not furnished as required in such notice it shall be unlawful after the time fixed in such notice for the said owners or managers to operate said mine.

SECTION 5. In all coal mines in the territories of the United States the owners or managers shall provide at least two shafts, slopes, or other outlets, separated by natural strata of not less than one hundred and fifty feet in breadth, by which shafts, slopes, or outlets distinct means of ingress and egress shall always be available to the persons employed in said mine. And in case of the failure of any coal mine to be so provided it shall be the duty of the mine inspector to make report of such fact, and thereupon notice shall issue, as provided in section four of this act, and with the same force and effect.

SECTION 6. The owners or managers of every coal mine at a depth of one hundred feet or more shall provide an adequate amount of ventilation of not less than fifty-five cubic feet of pure air per second, or thirty-three hundred cubic feet per minute, for every fifty men at work in said mine, and in like proportion for a greater number, which air shall by proper appliances or machinery be forced through such mine to the face of each and every working place, so as to dilute and render harmless and expel therefrom the noxious or poisonous gases; and all workings shall be kept clear of standing gas.

SECTION 7. Any mine owner or manager who shall continue to operate a mine after failure to comply with the requirements of this act and after the expiration of the period named in the notice provided for in section four of this act, shall be deemed guilty of a misdemeanor, and shall be fined not to exceed five hundred dollars.

SECTION 8. In no case shall a furnace shaft be used or for the purposes of this act be deemed an escape shaft.

SECTION 9. Escape shafts shall be constructed in compliance with the requirements of this act within six months from the date of the passage hereof, unless the time shall be extended by the mine inspector, and in no case shall said time be extended to exceed one year from the passage of this act.

SECTION 10. A metal speaking-tube from the top to the bottom of the shaft or slope shall be provided in all cases, so that conversation may be carried on through the same.

SECTION 11. An approved safety catch shall be provided and sufficient cover over head on every carriage used in lowering or hoisting persons. And the mine inspectors shall examine and pass upon the adequacy and safety of all such hoisting apparatus.

SECTION 12. No child under twelve years of age shall be employed in the underground workings of any mine. And no father or other person shall misrepresent the age of anybody so employed. Any person guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed one hundred dollars.

SECTION 13. Only experienced and competent and sober men shall be placed in charge of hoisting apparatus or engines. And the maximum number of persons who may ascend or descend upon any cage or hoisting apparatus shall be determined by the mine inspector.

SECTION 14. It shall be lawful for any inspector to enter and inspect any coal mine in his district and the work and machinery belonging thereto at all reasonable times, but so as not to impede or obstruct the working of the mine; and to make inquiry into the state of the mine, works and machinery, and the ventilation and mode of lighting the same, and into all matters and things connected with or relating to the safety of the persons employed in or about the same, and especially to make inquiry whether the provisions of this act are complied with; and the owner or agent is hereby required to furnish means necessary for such entry, inspection, examination and inquiry, of which the said inspector shall make an entry in the record in his office, noting the time and material circumstances of the inspection.

SECTION 15. In all cases of a fatal accident a full report thereof shall be made by the mine owner or manager to the mine inspector, said report to be in the writing and made within ten days after such death shall have occurred.

SECTION 16. As a cumulative remedy, in case of the failure of any owner or manager of any mine to comply with the requirements contained in the notice of the governor of such territory or the secretary of the interior, given in pursuance of this act, any court of competent jurisdiction, or the judge of such court in vacation, may, on the application of the mine inspector in the name of the United States and supported by the recommendation of the governor of said territory, or of the secretary of the interior, issue an injunction restraining the further operation of such mine until such requirements are complied with, and in order to obtain such injunction no bond shall be required.

SECTION 17. Wherever the term "owner or manager" is used in this act the same shall include lessees or other persons controlling the operation of any mine. And in case of the violation of the provisions of this act by any corporation the managing officers and superintendents, and other managing agents of such corporation, shall be personally liable and shall be punished as provided in act for owners and managers.

SECTION 19. Whenever any organized territory shall make or has made provision by law for the safe operation of mines within such territory, and the governor of such territory shall certify said fact with a copy of said law to the secretary of the interior, then and thereafter the provisions of this act shall no longer be enforced in such organized territory, but in lieu thereof the statute of such territory shall be operative in lieu of this act.

An act providing when plantiff may sue as a poor person and when counsel shall be assigned by the court.

Be it enacted, etc., That any citizen of the United States, entitled to commence any suit or action in any court of the United States, may commence and prosecute to conclusion any such suit or action without being required to prepay fees or costs, or give security therefor before or after bringing suit or action, upon filing in said court a statement under oath, in writing, that, because of his poverty, he is unable to pay the costs of said suit or action which he is about to commence, or to give security for the same, and that he believes he is entitled to the redress he seeks by such suit or action, and setting forth briefly the nature of his alleged cause of action.

SEC. 2. That after any such suit or action shall have been brought, or that is now pending, the plaintiff may answer and avoid a demand for fees or security for costs by filing a like affidavit, and willful false swearing in any affidavit provided for in this or the previous section, shall be punishable as perjury is in other cases.

SEC. 3. That the officers of courts shall issue, serve all process, and perform all duties in such cases, and witnesses shall attend as in other cases, and the plaintiff shall have the same remedies as are provided by law in other cases.

SEC. 4. That the court may request any attorney of the court to represent such poor person, if it deems the cause worthy of a trial, and may dismiss any such cause so brought under this act if it be made to appear that the allegation of poverty is untrue, or if said court be satisfied that the alleged cause of action is frivolous or malicious.

SEC. 5. That judgment may be rendered for costs at the conclusion of the suit as in other cases: *Provided*, That the United States shall not be liable for any of the cost thus incurred.

Approved, July 20th, 1892.

[NOTE.—The above act is chapter 209 of the acts of 1891-'92 (Fifty-second Congress, session 1,), and was approved July 20, 1892, a date later than that up to which this compilation has been brought. Owing to its importance it is thought best to insert it here.]

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The committee recommend the passage of H. Res. 152, with the following amendments: Line 5, after the word "Congress," strike out the words, "the laws relating to interstate commerce." Also amend title after word "of," in first line, by striking out the words "laws relating to interstate commerce."

JOHN J. O'NEILL,
Of Committee on Interstate and Foreign Commerce.